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FOREWORD

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A SHORT VIEW OF LEGAL BIBLIOGRAPHY:

Containing some
CRITICAL OBSERVATIONS
on the authority of
THE REPORTERS
and other
LAW WRITERS;

by

RICHARD WHALLEY BRIDGMAN, Esq.

LONDON

1807

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A SHORT VIEW OF
LEGAL BIBLIOGRAPHY:

CONTAINING SOME
CRITICAL OBSERVATIONS

ON THE AUTHORITY OF
THE REPORTERS

AND OTHER
LAW WRITERS;

COLLECTED FROM THE BEST AUTHORITIES,
AND INTENDED AS A COMPANION TO THE AUTHOR'S
REFLECTIONS ON THE STUDY OF THE LAW.

TO WHICH IS ADDED,
A PLAN FOR CLASSIFYING A PUBLIC OR
PRIVATE LIBRARY.

By RICHARD WHALLEY BRIDGMAN, Esq.

LONDON:
PRINTED FOR W. REED, BELL YARD, TEMPLE BAR.
1807.

TO

FRANCIS HARGRAVE, ESQ.

ONE OF HIS MAJESTY'S COUNSEL,

LEARNED IN THE LAW,

RECORDER OF LIVERPOOL,

AND

A BENCHER OF LINCOLN'S INN,

WHOSE PROFOUND KNOWLEDGE OF

LEGAL BIBLIOGRAPHY,

AND WHOSE

CANDOUR TO THE FAULTS OF OTHERS

PECULIARLY QUALIFY HIM TO JUDGE OF THE

MERITS OR DEMERITS OF A WORK

OF THIS NATURE,

THE FOLLOWING SHEETS ARE,

MOST RESPECTFULLY,

DEDICATED.

TO THE READER.

IN order that the attentive and diligent Student may not be invited to learn what he must unlearn again, and may not stumble on the rocks of error in the prosecution of his studies, the following sheets are submitted to his perusal.

It is much to be wished, that in *all Arts and Sciences* a Bibliographical Instructor were selected, and published, for the double advantage of easing the labors of the rising generation, and of removing rubbish from the republic of letters. It is our duty to do the best we can for our posterity, and not reject the task under the illiberal idea that posterity can do nothing for us.

Our nation has been too inattentive to bibliographical criticisms and enquiries, for

generally the English reader is obliged to resort to foreign writers to satisfy his mind as to the value of authors. It behoves us however to consider, that there is not a more useful or a more desirable branch of education, than a knowledge of books, which being correctly attained, and judiciously exercised, will prove the touchstone of intrinsic merit, and have the effect of saving many a spotless page from prostitution.

R. W. B.

ADVERTISEMENT.

THE reader will readily perceive, that this work is not intended as a *Catalogue* of all the Law Books which have been published, that task being the peculiar province of the Bookseller. It is designed only as a repository for such criticisms and remarks as have been made on the authority of our Law Writers in general (with the exception of the Reporters, and some few modern publications which are generally described), and as it was originally intended as a companion to the Compiler's "*Reflections on the Study of the Law*," he begs leave to recommend it to such Students as may have considered that small tract worthy of their perusal.

R. W. B.

Prefatory Observations

*On the great Increase of Law Books, and on
the Multiplication of Literary Pro-
ductions in general.*

WHEN we see the ponderous load which the shelves of every Lawyer's library are doomed to bear, we cannot be surprized at the jealousy with which the elders of the profession now view and receive every new publication.

Their hoary heads are so well stored with learning, from the effects of long study and experience, that they become naturally tenacious, lest any modern writer should by new suggestions disturb the antient doctrines of their predecessors; which, in many instances, have been fined and refined into the very perfection of human reason. And here

we cannot omit to notice the respectful compliment paid by Mr. *Fearne*, to Mr. Justice *Yates*, when he firmly asserted his steady attachment to the antiquated and established rules of English law, in opposition to the sentiments of the great *Earl of Mansfield*, in the well known cause of *Perrin v. Blake*; a cause which must ever dwell in the recollection of Lawyers, since it gave birth to the most scientific and most enlightened *Essay*, that ever was written *on the Doctrine of Contingent Remainders and Executory Devises*.

The venerable Sages of the Bench and Bar, however, will necessarily be aware, that though they by long habits of unwearied industry and application may have attained that enviable pitch of perfection, which Lord *Coke* has accurately described, of “so
“ blending the reason of the law with their
“ own natural reason, as that they shall
“ comprehend it as their own,” yet it is not so with the rising generation, who have many a hill to climb before they can reach the summit of their ambition.

If

If in the days of Lord *Coke* the number of Law Books was so great, as to induce him to have said

Quaritur ut crescunt tot magna volumina legis?

In promptû causa est, crescit in orbe dolus.

What would that great man now say, if he were to rise again and see the numbers of pages, which have been filled since his time? and for the most part very worthily filled too; for what do our accurate modern Reports contain, other than a faithful Journal of the proceedings of every Court of Justice, so conveniently preserved, as to preclude the necessity of searching the records upon every ordinary occasion, which few professors could find leisure, and fewer would find inclination to do.

Notwithstanding the increase of writers, and the vast volumes of Reports which now prevail, it must be admitted, that the same avidity exists, as heretofore, of seeing faithfully in print, the Reports of any neglected period, or an accurate statement of any case, which is suspected to be incorrectly handed
down

down to us; and hence it is, that we feel ourselves so infinitely indebted to those diligent editors, who have corrected the errors in the original Reports, and who have convinced us of their own exactness by an examination of each case with the Register's Book.

It would almost excite our surprize, however, that the increase of Books of science should be so great, or that any but works of real merit, should find their way into the world, or that any man should be bold enough to publish them, at a period when the charges of paper and printing almost amount to a prohibition; and when we consider that the reward of a scientific author is so scanty that it will hardly afford him bread. It is true, that the weaver of a fine spun novel, the writer of a popular play, the scribbler of a satirical or scandalous squib, or the fanatical author of a political pamphlet, will make it answer *his* purpose to venture into the press; but those who write ponderous books of reference, for the accommodation of men of real science and research (the number of which is comparatively very small) are a class of beings, as Doctor Johnson
very

very feelingly describes them, “ doomed to
 “ remove the rubbish from the paths through
 “ which learning and genius press forward
 “ to honor and glory, the pioneers of litera-
 “ ture, the slaves of science, and the humble
 “ drudges, on whom (though they clear the
 “ road) mankind have seldom ventured to
 “ bestow the negative recompense of a
 “ smile, to enliven their prospects, or to
 “ raise their drooping spirits.”

Can we wonder that the poor author,
 pinching with hunger and seeing his family
 starving around him, should with exhausted
 patience, worn out by hope deferred, rap-
 turously exclaim

“ Hard is the fate of him who writes for bread!
 “ Ah wherefore was I better taught than fed?
 “ Ye cruel parents, was it then in spite,
 “ You taught me nothing, but to read and write?
 “ Why was I not with apt instruction stored,
 “ To wield a mallet or to plane a board,
 “ Or why not taught with more mechanic skill,
 “ To make those shelves, I ne’er was meant to fill?”

JENNER.

This indeed is the fate of very many, and the
 learned Doctor *Goldsmith* felt it pointedly in
 the

the instance of a friend of his own, whose Character he briefly, but emphatically, drew in a quaint Epitaph:

“ Here lies poor Ned P— from misery freed,
 “ Who at best was a Bookseller’s hack,
 “ He led such a d—mn—ble life in this world,
 “ I don’t think he’ll wish to come back.”

But to return from this digression to the weighty subject of the law Reporters, the books of the statute law, and the many learned writers on English Jurisprudence in general, for weighty indeed it is, we do not fear (as many do) that they will become so pondrous as to crush themselves with their own massive weight, or that they will become, like the laws of the antient Roman Empire, a load for many Camels: On the contrary we believe, and we trust that a day will come, when they will be reduced to a more compressive system, under the wise ordinance, and by the well directed pruning knife of a second *Justinian*.* Why should not an association

* The learned and industrious Sir *William Jones*, at the conclusion of his very elegant *Essay on the Law of Bailments*, expresses his sincere wish, and it is much to be lamented, that he had not sufficient

sociation of well informed professors of the law extract and lay down from the Reporters in general, from the various expositions of the statute law, and from the sacred repositories of legal learning, the several fixed and established rules and principles, by which our Courts of law and equity are universally guided, and which now serve

sufficient leisure, or enjoyed a longer life, to discuss in the same form, *every branch of the English Law, Civil and Criminal, Private, and Public*; after which, he says, it will be easy to separate and mould into distinct works, the three principal Divisions, or the *Analytical*, the *Historical* and the *Synthetical parts*.

The great system of Jurisprudence, like that of the Universe, consists of many subordinate systems, all of which are connected by nice links and beautiful dependencies, and each of them is reducible to a few plain *Elements*; either the wise *maxims* of national policy and general convenience, or the positive rules of our forefathers, which are seldom deficient in wisdom or utility. If *Law be a Science* and really deserve so sublime a name, it must be founded on principle, and claim an exalted rank in the Empire of reason; but if it be *merely* an unconnected series of decrees and ordinances, its uses may remain, though its dignity be lessened, and *he* will become the greatest lawyer, who has the strongest habitual or artificial memory. In practice, law certainly employs *two* of the mental faculties. *Reason* in the primary Investigation and decisions of points *entirely new*, and *memory* in transmitting to us the reasons of sage and learned men, to which our own ought invariably to yield, if not from a becoming modesty, at least from a just attention to that object, for which all laws are framed, and all Societies instituted—*The Good of Mankind*.

as

as invariable axioms or positions not to be departed from, but in very special Cases, which special Cases may afterwards be reported within a narrow Compass.*

The antient Latin maxims of the law are thus preserved, and our Year Books and oldest Abridgments are specimens of this description. Why then may not such a digest or pandect of the more modern principles be so framed, as to make one inestimable volume of general rules, to be closed at some fixed and certain period, from whence it may and ought to be continued every twenty or thirty years, and engrafted on the original stock, after having been previously

* Sir *William Jones*, in his *Essay on the Law of Bailments* (page 4.) after paying a just tribute to Sir *William Blackstone*, for those elegant *Commentaries on the English Law*, which have so much delighted and edified his Countrymen, has further observed, that “ if all the titles, which the learned Judge only professed to sketch in elementary discourses, were filled up with exactness and perspicuity, Englishmen might hope at length to possess a digest of their laws, which would leave but little room for controversy, except in Cases depending on their own particular circumstances; a work which every lover of humanity and peace must anxiously wish to see accomplished.”

allowed

allowed and approved by the Lord Chancellor, and all the Judges, for the time being, under whose sanction alone it ought to be made public? Such a great compilation would of itself form a perfect *Encyclopædia Legum*, encircling all the points, and drawing together into one *focus* all the law of the land. And this is submitted to be a matter of such national importance, as one day to invite the consideration and interposition of Parliament, inasmuch as it will tend to lessen the burthen of every individual professor, without injury to the trade of this Country; for the necessity will become obvious of establishing a complete and universal law library in every Assize Town, within His Majesty's Dominions, and men of legislative pursuits and enquiries will be naturally led to put together so valuable a collection, and hand it down as an heir loom to their posterity. From the same source, the enlightened and industrious class of elementary writers will find encouragement in proportion to their merits, and the compilers of books of reference will be found useful and valuable to their profession, in proportion
to

to the accuracy and fidelity with which they briefly state those cases, which have given birth to the decisions from which all general rules and principles have been drawn, and upon which alone they can be established and maintained as a guide for future ages.

R. W. B.



LEGAL

BIBLIOGRAPHY.

ABBOT.

IN 1802, *Charles Abbot*, Esq. published "*A Treatise of the Law of Merchant Ships and Seamen*, in four parts. 1. Of the owners of merchant ships; 2. Of the persons employed in the navigation thereof; 3. Of the carriage of goods therein; and 4. Of the wages of merchant seamen." A second edition of this excellent treatise was printed in 1804.

ALEYN.

By *John Aleyn*, Esq. was published, in 1681 or 1688, "*Select Cases in the King's Bench*, ann. Regn. Car. I. 22. 23. and 24. *with the Names of the Learned Counsel who argued the same.*" Folio.

A M B L E R.

In 1790 were published, in one volume folio, the “*Reports*” of *Charles Ambler, Esq.* “*of Cases argued and determined in the High Court of Chancery, with some few in other Courts.*”—The determinations preserved in these Reports were chiefly in the time of Lord *Hardwicke*, but there are some later decisions in the Court of Chancery; and at present these are the only Reports which fill up, in any degree, the chasm between the presidencies of Lord *Hardwicke* and Lord *Thurlow*.

A N D E R S O N.

The method of reporting adopted by Lord Chief Justice Sir *Edmund Anderson* is more circumstantial and instructive than that of the Year books. He reported chiefly in the Common Pleas, in the reign of Q. *Eliz.* in French, and his Reports were printed in 1664 and 1665.

A N D R E W S.

ANDREWS.

In 1754 *George Andrews*, Esq. published his
 “ *Reports of Cases argued and adjudged in the*
 “ *Court of King’s Bench, in the 11 and 12 Years*
 “ *of K. Geo. II.*” Folio.

ANNALY.

Vide “ *Cases temp. Hardwicke.*”

ANSTRUTHER.

The “ *Reports*” of *Alexander Anstruther*, Esq.
 (now Sir *Alexander*) consist “ *of Cases argued and*
 “ *determined in the Court of Exchequer, from*
 “ *Easter Term 32 Geo. III. to Trinity Term 37*
 “ *Geo. III.*” They were published in 1796 and
 1797, in three volumes royal octavo, and would
 probably have been continued, had not the author
 gone out as judge to *India*.

ATCHESON.

Mr. *Nathaniel Atcheson* seems to have confined his Reports to three cases, in which he was personally engaged as an attorney and solicitor: the first, which was printed in octavo, anno 1800, is a “ *Report in the King’s Bench on the Validity of a Sentence of Condemnation by an Enemy’s Consul in a Neutral Port, and the Right of the Owner of the Ship to call upon the Underwriters to reimburse him the Money paid for the Purchase of the Ship at a Sale by Auction, with an Appendix containing the French Laws now in force relative to Marine Prizes.*”

The second (without date) is a “ *Report of the Case of Havelock v. Lockwood, respecting the Captures of Ships.*” 8vo.

And the third is a “ *Report of the Case of Fisher v. Ward, respecting the Russian Embargo on British Ships,*” printed in octavo, anno 1803.

ATKINS.

ATKYNs.

To *John Tracey Atkyns*, Esq. the professors of the law are indebted for a very valuable collection of “*Reports of Cases argued and determined in the High Court of Chancery, temp. Lord Hardwicke, from Hilary Term, 1736, to Michaelmas Term, 1754;*” the *first* edition of which was printed in three volumes folio, anno 1765, 1767, and 1768; the *second* in three volumes royal octavo, with additional references, in 1781 and 1782; and a *third* in 1794, revised and corrected with notes and references to former and modern determinations, and to the registrars book, by *Francis William Sanders*, Esq. author of the *Essay on Uses and Trusts*, in three volumes, royal octavo.

It is to be observed that part of the second edition was very incorrectly printed in octavo, anno 1782, with double paging.

BACON, Sir Francis.

The great Sir *Francis Bacon* was author of many learned works in the law. The earliest which we find in print is his book of "*Ordinances for the better Administration of Justice in Chancery*," first printed in quarto, anno 1623; secondly, in 1642; thirdly, in 1656; and lastly, among the author's Law Tracts. Mr. *Viner* (Chanc. Z. 3 pl. 6) says, that a book of orders and rules of the Court of Chancery, printed in 1623 and 1656, being produced, containing an order of Lord Chancellor *Bacon*, the authority of it was disputed, but it was established by Lord *Cowper*. See also *Jud. Auth. M. R.* 101.

In the year 1639, were printed, in quarto, "*The Elements of the Common Laws of England*," containing 1. A collection of some principal rules and maxims; and 2. The use of the common law, &c.

In 1641, "*Cases of Treason, &c.*" by Sir *Francis Bacon*, were printed in quarto, which were afterwards reprinted with the author's Law Tracts; and
also

also with Sir *Robert Holbourne's* reading on 25 *Edw.* III. c. 2. of treasons, anno 1642 and 1681; likewise in *Harl. Miscel.* V. 301. And in the same year (1641) Sir *Francis Bacon's* "Three Speeches" and Arguments on the *Post Nati* concerning "Naturalization of the Scotch," were published in quarto; but these were not reprinted with the author's Law Tracts.

In 1642 we find in print Lord *Bacon's* celebrated "*Reading on the Statute of Uses.*" (27 *Hen.* VIII. c. 10.), which has been reprinted among the author's Law Tracts, and in the several editions of his works. A new edition, in octavo, was also published in 1786; but it is observable, that the fourth and fifth discourse into which the learned author divided this treatise, are totally wanting, not being known to be any where extant. Mr. *Hargrave* (Co. Lit. 13. (a)) says, that Lord *Bacon's* Reading on the statute of uses is a very profound treatise on the subject as far as it goes, and shews that he had the clearest conception of one of the most abstruse parts of our law. All the editions of this Reading, however, are printed with such extreme incorrectness, that many passages

are rendered unintelligible even to the most attentive reader. But in a late edition, by *W. H. Rowe*, Esq. (anno 1804, octavo), this infirmity appears in a great measure to have been cured, and many full notes and explanations, with a copious table, have been added by the editor.

In 1662, and again in 1676, a small book was printed in quarto, which was not afterwards published among Lord *Bacon's* Law Tracts, purporting to be his “*Charge at the Sessions* holden for the “*Verge Twelve Miles round the King's Mansion-House, declaring the Jurisdiction thereof.*”

Afterwards Lord *Bacon* published his “*Arguments,*” viz. 1. On Impeachment of Waste; 2. *Low's* Case of Tenures; 3. Revocation of Uses; and 4. Jurisdiction of the Marches. And in the year 1736, or 1741, were published, Lord *Bacon's* “*Law Tracts*” containing 1. A Proposition for compiling an Amendment of our Laws; 2. Offer of a Digest of our Laws; 3. Elements of the Common Law of England; 4. Use of the Law; 5. Cases of Treason; 6. Arguments in Law in certain great and difficult Cases; 7. Ordinances in Chancery;
8. Reading

8. Readings on the Statute of Uses (8vo. second edition, 1736 and 1741, being the same).

Lord *Bacon* appears also to have published (without date) a “*History of the Alienation Office*,” which is not among his Law Tracts, but was printed from a manuscript in the Inner Temple Library, in the latter editions of his works.

BACON, Nathaniel.

The *Discourse on Government*, by *Nathaniel Bacon*, Esq. was *first* published in two parts, 4to. anno 1647; and *secondly*, in 1651; it was also privately printed in 1672, when a violent prosecution of the publisher took place, in consequence of which several hundred copies were seized and burnt. Another edition (called the *second*) was printed in folio, anno 1682, upon which a second prosecution was taken out against the publisher, which proceeded to outlawry against him, he having taken refuge abroad, where he remained till the Revolution. Again in 1689, a *third* edition was printed in folio; a *fourth*, in folio, anno 1739; and

and a *fifth*, in quarto, anno 1760, which is intitled “ *An Historical and Political Discourse of the Laws and Government of England, from the first Times to the End of the Reign of Queen Elizabeth, with a Vindication of the antient Way of Parliaments in England, collected from some MS. Notes of John Selden, Esq. corrected and improved by a Gentleman of the Inner Temple.*”

BACON's Abridgment.

This work was at first stiled, by way of distinction, the *New Abridgment*: it is methodized and digested in a luminous and scientific manner, and is the first compilation of the kind that has been put together without engrafting it on the stock of some antecedent writer of the same description. Mr. *Viner* engrafted his Abridgment on that of Mr. Serjeant *Rolle*, but this stands on its own foundation. In it the obsolete titles of the law are omitted; it consists of many excellent treatises upon the most important subjects of law, and is supposed by Sir *William Blackstone* (*Com. lib. 2. C 20.*) to have been compiled chiefly from materials

materials collected by Lord Chief Baron Gilbert, many of the heads being treated of in the same method, and generally in the same words as in several of the works of that great lawyer, previous to their being printed. Mr. *Viner*, also, in his tit. *Conusance* of Pleas (c) pl. 3. (in notis) cites this work as *Gilbert's New Abridgment*. This work was first published from the press partly by *Matthew Bacon*, Esq. the subsequent part succeeding the tit. *Sheriff*, having been supplied by *Owen Ruffhead*, Esq. and Mr. Serjeant *Sayer*. It has passed through *five* editions, four of which are in folio; the *first* was printed, in manner before mentioned, in 1736, 1740, 1759, et seq. the *second* in 1762, the *third* in 1768 and 1770, and the *fourth* in 1778; soon after which, viz. in 1786, Mr. *Cunningham* published a Supplement, containing a Table of the Names of the Cases, of the Acts of Parliament cited, and of the Reporters used in this Work, with a new and copious Index. The *fifth* edition was printed in 1798, in seven volumes royal octavo, with considerable additions, including the latest authorities, by *Henry Gwillim*, Esq. and a sixth in 1807.

BARNARDISTON.

The *Reports*, of Serjeant *Thomas Barnardiston*, in *Chancery*, were published in folio, anno 1740, 1741, and 1742. And his *Reports of Cases adjudged in B. R.* from 12 *Geo. I.* to 7 *Geo. 2.* were published in two volumes folio, anno 1744.

Lord *Mansfield* absolutely forbid the citing of *Barnardiston's Reports* in *Chancery*, for that it would be only misleading students to put them upon reading it. He said it was marvellous, however, to those who knew the Serjeant, and his manner of taking notes, that he should so often stumble upon what was right, but that there was not one case in his book which was so throughout. *Vide* 2 Burr. 1142 (n).

BARNES.

In 1754, *Henry Barnes*, Esq. published in two volumes octavo, his “ *Notes of Cases in points of Practice taken in the Court of Common Pleas*, “ from Michaelmas Term, 1732, to Hilary Term
“ 1756

“ 1756 inclusive ;” which were reprinted and continued by a Supplement in 1756 ; again in quarto anno 1772, and lastly in 1790, royal octavo ; to which was added a Continuation of the Cases to the End of K. Geo. II. *Note*—The paging of the octavo and quarto editions do not agree.

BARTON.

In 1796 *Charles Barton*, Esq. published, in octavo, “ *An Historical Treatise of a Suit in Equity*,
“ in which is attempted a scientific Deduction of
“ the Proceedings used on the Equity Sides of the
“ Court of Chancery and Exchequer, from the
“ Commencement of the Suit to the Decree and
“ Appeal, with occasional Remarks on their Im-
“ port and Efficacy, and an Introductory Dis-
“ course on the Rise and Progress of the equitable
“ Jurisdiction of those Courts.”

In 1803, Mr. *Barton* published “ *Original Pre-
cedents in Conveying* (attributed by him to
“ *John Joseph Powell*, Esq.) “ with Notes and
“ Remarks on the Nature of the several Deeds and
“ other

“ other Assurances contained in that Collection.”
In six volumes, octavo.

And in 1802, 1805, Mr. *Barton* published another ponderous work, called, “ *Elements of Conveyancing* ; to which are prefixed an *Essay on the Rise and Progress of that Science*, and cursory Remarks on its Study and Practice ; containing the Laws respecting Land, Advowson, Tithes, Commons, Ways, Offices, Dignities, Franchises, Rents, Annuities, &c. Estates in Fee Simple, Fee Tail, for Life, Curtesy, Dower, Jointure, Terms for Years, Copyholds, Gavelkind and Borough English, Conditions, Mortgages, Remainders and Reversions, Jointenancy, Tenancy in Common, Coparcenary, &c. Uses and Trusts, Agreements, Deeds, Feoffment, Gift, Grant, Exchange, Partition, Release, Confirmation, Assignment, Defeasance, Covenant to stand seised, Bargain and Sale, Lease and Release, Declaration of Uses, Appointments, Revocations, Fines, Recoveries, Surrenders, Devise, Descent, Tables of Consanguinity, Tables of Descent, with Names of Cases, and an Index to the principal Matters,” in six volumes, royal octavo.

BAYLEY.

BAYLEY.

In 1789 “*A short Treatise on the Law of Bills of Exchange, Cash Bills and Promissory Notes*,” was *first* published by John Bayley, in octavo; and in 1799 a *second* edition.

BEAUMANOIR.

Vide *Coutumes de Beauvoisis*.

BEAWES.

“*Lex Mercatoria*, or the Merchants Directory, whether as Traders, Remitters, Owners, Freighters, Captains, Insurers, Brokers, Factors, Supercargoes, Agents, containing an Account of our Mercantile Companies, of our Colonies and Factories abroad, of our Commercial Treaties with Foreign Powers, the Duty of our Consuls, and the Laws concerning Aliens, Naturalization and Denization,” by Wyndham Beawes, was *first* printed in 1758, *secondly* in 1761, *thirdly* in 1771, *fourthly* in 1783, considerably enlarged and

and improved by *Thomas Mortimer*, Esq. formerly His Majesty's vice consul at Ostend, and *fifthly* in 1792. Folio.

BECCARIA.

The principles of our Criminal Law, as applicable to general policy and the dictates of humanity, are illustrated by the Marquis *Beccaria* in his "*Treatise on Crimes and Punishments*," which was *first* published in English, in octavo, anno 1775, with a Commentary, attributed to M. *Voltaire*; and *secondly*, in 1801.

BECKWITH.

In this present year, 1807, we have been favored by *William Beckwith*, Esq. with a very liberal and independent "*Plan to prevent all Charitable Donations for the Benefit of poor Persons in England and Wales from Loss, Embezzlement, Non-application, Misapplication, Fraud and Abuse, in future*;" which the author has submitted to the consideration of the public, and which we sincerely hope will invite the attention and interposition of the Legislature. Octavo.

BELLEVE.

BELLEWE.

The Reports of *Richard Bellewe*, Esq. consist of a Collection of Cases out of the Abridgments of *Statham*, *Fitzherbert*, and *Brooke*, and form a substitute for the Year Book of that reign, which is wholly omitted. French, octavo, 1585. V. *post*, tit. *Year Books*.

BENDLOE.

William Bendloe, Esq. reported in the reigns of K. Hen. VIII. Edw. VI. Phil. & Mary, and Eliz. as also some select Cases, *temp. James and Charles*. His Reports were printed in French, anno 1661. Folio.

This book is properly cited as *New Bendloe*, which distinction it obtained before the publication of *Bendloe* or *Benloe* and *Dallison* (V. Dy. 201. marg.) probably to distinguish the Cases from those before extant, at the end of *Ashe's Tables* and *Keilway's Reports*.

BENLOE and DALLISON.

William Benloe and William Dallison were joint reporters of “*Cases and Pleadings in the Court of Common Pleas* in the Reigns of King *Henry VII. Henry VIII. Edward VI. and Queen Mary and Elizabeth.*—Their Reports were published in French, folio, anno 1689.

It will greatly remove the difficulty experienced in the reference to these reporters to observe, that this book is often erroneously cited as *New Benloe*, especially in the marginal references to the latter editions of *Coke’s Reports*, and by other modern authors.

The edition to which the above observation attaches, is that above mentioned to have been printed in folio, French, *anno* 1689; but there was a former edition printed in 1661, in which there is a vacancy in the pages from 44 to 88 both inclusive, throughout the impression, and the 4 pages preceding 44 are wrongly numbered.

BLACKSTONE,

BLACKSTONE, Sir William.

The “*Reports*” of Sir *William Blackstone* “*of Cases in B. R. from 20 to 24 and from 30 George II. to 10 George III.*” were printed in 1780, in two volumes folio, but they are not generally received by the profession with that approbation which has followed all the other writings of this great author; and in *Hassel v. Simpson*, Doug. 93 (n) second edition, Lord *Mansfield* said, that these Reports were not very accurate, and that we must not always rely on the words of Reports though under great names. To Sir *William Blackstone*’s Reports is prefixed a preface, containing memoirs of the author’s Life, by *James Clitherow*, Esq.

“*The Commentaries*” of Sir *William Blackstone*, “*on the Laws of England*” are so well known, that we need only say they have passed with undiminished reputation through fourteen editions. The ninth of which, having received the last corrections of the learned author, was published by Doctor *Richard Burn*, in four volumes octavo, anno 1782. In 1787 the *tenth* edition was continued and published by *John Williams*,

Esq; and in 1803 the fourteenth edition, with notes and additions, was published by *Edward Christian*, Esq. An Abridgment of these Commentaries, with notes corrective and explanatory, was made by *William Curry*, Esq. and published anno 1796, in one volume octavo; this is reputed to have been very ably performed.

In speaking of *the Commentaries of Sir William Blackstone on the Laws of England*, Sir *William Jones* says they are the most correct and beautiful outline that ever was exhibited in any human Science; but they alone will no more form a lawyer, than a general map of the world, how accurately and elegantly soever it may be delineated, will make a geographer. If indeed all the titles which he professed only to sketch in elementary discourses, were filled up with exactness and perspicuity, Englishmen might hope at length, to possess a digest of their Laws, which would leave but little room for controversy, except in cases depending on their own circumstances: A work which every lover of humanity and peace must anxiously wish to see accomplished.

In *Shannon v. Shannon*, Sch. and Lefroy 327, Lord *Redesdale* said he was always sorry to hear *Blackstone's Commentaries* cited as an authority, for the learned Judge himself never considered them as such.

Besides the *Commentaries* and *Reports* of Sir *William Blackstone*, we find in print, from the pen of the same learned author, his "*Law Tracts*" in two volumes octavo, 1762, which chiefly relate to the Antiquities and Laws of England. They contain—1. *An Essay on collateral Consanguinity*, its limits, extent and duration, more particularly as it is regarded by the statutes of All Souls College, in Oxford, (this was first printed in octavo at Oxon, anno 1750.) 2. *Considerations on Copyholders*. 3. *The Law of Descents* in fee simple (which was first printed at Oxon in 1759, octavo.) And, 4. *Magna Charta*.

In 1771 a second edition of our author's "*Law Tracts*" was printed in quarto, containing—1. *An Analysis of the Laws of England*, with an appendix of Tables of Consanguinity and of Descent, with their explanation, and precedents of divers

instruments and forms of judicial proceedings in common use. 2. *The Essay* (abovementioned) *on collateral Consanguinity*. 3. *Considerations on Copy-holders*. 4. *Observations on the Oxford press*. 5. *An Introduction to the Great Charter*. 6. *Magna Charta, Charta de Foresta, &c.*

All the above tracts have been published separately.

Furthermore we find “*A Discourse*” by Sir *William Blackstone* “*on the Study of the Law*,” which is prefixed to the later editions of his *Analysis* and to all the editions of his *Commentaries*.

Also the learned Judge’s “*Argument in the Exchequer Chamber*” in the *Cause of “Perrin v. Blake,”* which is printed in Mr. *Hargrave’s Law Tracts*, page 487.

And likewise “*A Memoir concerning the Authenticity of Doctor Lyttelton’s Roll*, containing “an antient copy of *Magna Charta*,” which is
printed

printed in *Gutch's Collectanea Curiosa*, vol. II. 357
and in *Archeol. Brit.*

BLACKSTONE, Henry.

In 1793 and again 1796, were published in two volumes folio, the “*Reports*” of *Henry Blackstone Esq.* “*of Cases argued and determined in the Court of Common Pleas and Exchequer Chamber from Easter Term, 1788, to Hilary Term, 1796, inclusive;*” and a third edition, in two volumes royal octavo, was published in 1801, corrected, with additional notes and improved Indexes.

BOOTE.

To this gentleman we are indebted for an “*Historical Treatise of an Action or Suit at Law and of the Proceedings used in the King's Bench and Common Pleas, from the original processes to the Judgments in both Courts*”—A work which claims notice as a rational account of the Nature, Origin, and Import of the several legal Manifests which have obtained in use, as incidental to a Suit in its progress towards a determination in the several Law Courts, and exhibits in a conspicuous

method, a general and historical account of the foundation and present state of the several component parts of that branch of the practice. This valuable book has passed through four editions, having been printed in the years 1776, 1781, 1795, and 1805, octavo.

Mr. *Boote* also composed the Method and Arrangement of an approved Compendium of the Chancery Practice, which was published under the Title of "*Solicitors Practice in the High Court of Chancery epitomized, from the Commencement of the Suit to the decree*, introducing interlocutory matters on petitions, motions, references, &c. with directions for serving subpœnas, notices of motions, orders, warrants, and also notices on commissions for taking answers and examining witnesses, with full instructions for executing the same; together with the method of proceeding on certiorari bills to remove causes from inferior Courts of Equity into this; also an appendix of useful Precedents for the easier dispatch of business in Town and Country." This useful little work has been five times printed, and lastly, in 1791 octavo, with the addition of
several

several new matters of Practice, Injunctions, Bills of Costs, Stamps on the various Proceedings, and the method of Admission as a Solicitor in Chancery. It is generally sold interleaved for the convenience of adding new matter in daily practice.

BOSANQUET and PULLER.

In 1800 and 1804, *John Bernard Bosanquet, Esq.* and *Christopher Puller, Esq.* published in three volumes, folio, their “*Reports of Cases argued and determined in the Court of Common Pleas and Exchequer Chamber* from Easter Term 37 George III. to Hilary Term 44 George III. “inclusive.”

And in 1804 they commenced the publication of their “*New Reports in the Common Pleas*, from “Easter Term 44 George III.” in royal octavo, which are progressively continued. The parts already printed are the whole of vol. I. and parts 1 and 2 of vol. II. down to the End of Easter Term 46 George III.

BOTT.

BOTT.

*“ A Collection of Decisions of the Court of
“ King’s Bench upon the Laws relating to the
“ Poor,”* was published by *Edmund Bott*, first in 1771, secondly, in 1773, thirdly in 1793, and fourthly in 1800, which is called the third edition, revised, corrected, and considerably enlarged with Tables of the Cases and a complete digest of the principal matters, in which the statutes, the reported decisions from the reign of *Queen Elizabeth* to *Michaelmas Term 31 George III.* and many Cases never before published on this subject, are properly arranged, and the whole system of the poor Laws placed in a clear and conspicuous point of view, by *Francis Const, Esq.* in two volumes octavo.

This work is a valuable acquisition to practicers in this branch of the law.

In the present year (1807), a new edition (called the fifth) was published by *Mr. Const*, in three volumes octavo, comprehending the Statutes and Cases down to *Easter Term 1807.*

BRACTON.

BRACTON.

“ *A Treatise on the Laws, and Customs of England,*” written in the Reign of *Henry III.* printed by Tottel in folio, 1569; quarto 1640; pages of the folio the same.

Sir *William Jones*, in his learned *Essay on the Law of Bailments*, (page 75) says “When I rely
“ on the authority of *Bracton*, I am perfectly
“ aware that he copied *Justinian*, almost word
“ for word. Though a Civilian he was also a
“ great Common Lawyer, and never adopted the
“ rules and expressions of the *Romans*, except
“ when they coincided with the Laws of England
“ in his time;” — “he is certainly,” adds Sir *William*, “the best of our Judicial Classics.”

Plowden, in his *Commentaries*, page 357, says that *Bracton* and *Glanvil* were not authors in our Law, but are only cited as ornaments to discourse, when they agree with the Law. *V. etiam Fitzh. Ab. Gard.* 71. *Show*, 121. But *Fortescue* *Aland J.* said that the Law Books of *Bracton* and *Fleta* were the antient Law of the land, extending
to

to all Cases. These Books, he said, are so strong that there has been no means of evading them but by denying their authority, and calling them Books of Civil Law; he further said he never knew them denied for Law, except where some Statute or ancient usage has altered them. *Fortescue* 419.

Henry de Bracton was a Justice itinerant 29 *Henry III.* and is said by Lord *Coke*, in his preface to 9 Rep. to have been a Judge in C. B. and by *Leland* to have been Chief Justice of England; but these latter Circumstances do not appear to be founded on any extant authority: the work however is reputed to be the ornament of the Reign of *Henry III.* and exhibits a very comprehensive System of the Law as it stood at that time, and is esteemed a very accurate and methodical treatise.

It appears to have been printed under great disadvantages, on account of the difficulty of procuring a correct Copy, the methodical arrangement and distribution of the subject as composed by the author not being properly attended to; this

this defect however is somewhat obviated by an Analytical Abstract of the several divisions of the Chapters in *Reere's History of English Law*, vol. II. 86, which also contains a digest of the Contents of this venerable code of the ancient law.

It is remarked by the author of *Biographia Britanica*, tit. *Bracton*, that great pains were taken in printing the quarto edition of this work in 1640, by collating various manuscripts to make the text as perfect as might be, of which an account is given in the preface signed T. N. with a table of the various readings; but it is observable that the same preface and table were originally prefixed to the folio edition, in 1569; on the other hand, it appears that notwithstanding several errors had been pointed out by *Selden* in his *Titles of Honor*, 1614, they stand equally uncorrected in the edition 1640.

We are further informed that one of the most authentic Manuscripts of *Bracton*, was burnt in the fire at Cotton House, in 1731. A very fair antient Manuscript of *Bracton*, however, is still
extant

extant in Lincoln's Inn Library, No. 136, and which is supposed to be more correct than any of the printed Copies; it is thus indorsed "*Bracton faire*
 "*written in Parchement, ex dono Ranulphe Chol-*
 "*meley, Serjeantis ad legem et Recordator Civit.*
 "*Lond.*" Ran. Cholmeley was Recorder in 1553, and Serjeant at Law, in 1558.

BRIDALL.

John Bridall, Esq. (a Bencher of Lincoln's Inn) was a very industrious writer. The whole of his printed works, as also many of his Manuscripts, are extant in the Library of that Honourable Society.

His printed works chiefly consist of small tracts, the earliest of which appears to have been published in 1671 in octavo, intitled, "*Jus Imaginis*
 "*apud Anglos, or the Law of England relating to*
 "*the Nobility, and Gentry,*" which was reprinted in 1675, octavo.

In the year 1673, Mr. *Bridall* published his "*Jus Sigilli, or the Law of England touching*
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“ the four principal Seals, viz. the Great Seal,
 “ Privy Seal, Exchequer Seal, and the Signet;
 “ Also those grand Officers to whose custody these
 “ Seals are committed.” 24to.

And in the same year, (1673) was published
 Mr. *Bridall's* “ *Speculum Juris Anglicani*, or a view
 “ of the Laws of England as they are divided
 “ into Statutes, Common Law and Customs”.
 Octavo.

In 1675, Mr. *Bridall* published his “ *Jus Cri-*
 “ *minis*, being an abridgement of the Laws of
 “ Treason, Murther, Conspiracies, Poisonings, &c.
 “ which was reprinted anno 1679. Octavo.

In 1676 we find the “ *Camera Regis*, or a Short
 “ View of London, viz. Antiquity, &c. Officers,
 “ Courts, Customs, Franchises, &c. collected out
 “ of Law and History,” by *John Bridall*, Esq.
 Octavo.

In 1679 Mr. *Bridall* published his “ *Decus et*
 “ *Tutamen*, or a Prospect of the Laws of England,
 “ framed

“ framed for the Safeguard of the King’s Majesty,
“ &c.” Octavo.

In 1697, “ *Ars Transferendi*, or a Sure Guide to
“ the Conveyancer, consisting of many obser-
“ vations and above 600 various questions with their
“ resolutions, relating to Feoffments, Grants, Fines,
“ Common Recoveries, Exchanges, Releases,
“ Confirmations, Attornments, Surrenders, Bar-
“ gains, Sales and Devises, was published in two
“ parts octavo, from the labors of Mr. *Bridall*.”

In 1700 Mr. *Bridall* published “ *Non compos*
“ *Mentis*, or the Law relating to natural fools,
“ mad folks, and lunatic persons.” Octavo.

In 1703, we find in print Mr. *Bridall*’s “ *Lex*
“ *Spuriorum*, or the Law relating to Bastardy,
“ collected from the Common Civil and Eccle-
“ siastical Law.” Octavo.

And in 1704 Mr. *Bridall* published “ *A Decla-*
“ *ration of the divers Preheminences or Privileges*
“ *allowed by the Laws and Customs of England,*
unto

“ unto the first-born among Her Majesty’s Subjects, the Temporal Lords in Parliament.” Folio.

BRIDGMAN, Sir Orlando.

The Conveyances of Sir *Orlando Bridgman* consist of select precedents of deeds and instruments concerning the most considerable estates in England.

The authority of this work, and the estimation in which it is held among conveyancers, are too well known to require any comment on our part.

These Conveyances have passed five editions, in folio; *first* in 1682, *secondly* in 1699, *thirdly* in 1710, and *fourthly* and *fifthly* in 1725.

BRIDGMAN, Sir John.

The “ *Reports*” of Sir *John Bridgman* “ of *Cases determined from 12 to 19 Jac. I.*” were *first* published in folio, anno 1651, and *secondly* in 1659, but they embrace so short a period that they

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are not often referred to, nor do we understand that they are highly esteemed.

BRIDGMAN, Richard Whalley.

The first work of this author was published in 1798 and 1800, under the title "*Thesaurus Juridicus; containing the Decisions of the several Courts of Equity, upon the Suits therein adjudged, and of the High Court of Parliament, upon Petitions and Appeals, systematically digested, from the Period of the Revolution to the End of Easter Term, 1798,*" by Richard Whalley Bridgman, Esq. Only two volumes of this work have hitherto been printed, but the subject matter of every distinct title is complete *pro tanto*; and the whole of the MSS. only awaits an auspicious opportunity of publication.

The next is "*An Analytical Digested Index of the reported Cases in the several Courts of Equity, as well Chancery as Exchequer, and in the High Court of Parliament, distinctly shewing the various Points therein adjudged, from the earliest authentic Period to the present Time;*"
with

with a Table of the principal Titles, Divisions, and Subdivisions, and a Repertorium of the Cases doubly and systematically arranged upon an improved Principle, in two volumes, royal octavo, 1805.

In 1807 a *Supplemental* volume of the foregoing Digest was published, by which the cases are continued to the Year 1806, including the decisions of Lord Chancellor *Redesdale*, in Ireland.

Thirdly, were published, the author's "*Reflections on the Study of the Law, in two Parts, addressed first to the Nobility and Gentry, as the hereditary and elective Senators of the Nation; and secondly, to those Gentlemen who propose to study the Law with a View to professional Practice:*" written in 1804, and printed in octavo. And as a companion to that work, the present sheets are submitted to the public view.

Fourthly, *The Law of Charitable Uses* as written by *George Duke, Esq.* in 1676, were edited by the same hand, and the Cases continued to the present time; to which is added, the *Law of*

Mortmain, as established by 9 *Geo. II. c. 36.*
in royal octavo, anno 1805. Vide tit. *Duke.*

Fifthly, "A Synthesis of the Rules and Principles of the Law of Nisi Prius, deduced from adjudged Cases, but distinctly and particularly shewing the Doctrine of Bailments, Bills of Exchange, Marine and other Insurances, Merchant Ships and Seamen, and also the Law of Evidence," written by the same author, is about to be published, as well for the use of every professor of the law, as of every merchant and underwriter.

BRITTON.

This book, which contains the ancient Pleas of the Crown, and is a concise abridgment of the law, is considered as a Compendium of *Bracton's* treatise. It was *first* printed in Latin (without date), 12mo. by *R. Redman*, with an English Epistle to the reader "in favor of this fountain of the law."

A second

A *second* edition was published, anno 1640, in French, 12mo. corrected by *Wingate*.

And a *third*, translated into English and illustrated with notes, references, and records, was published by *Robert Kelham*, Esq. anno 1762, in octavo.

There is much controversy among the learned, as to the identity of the author of this excellent treatise; some contending him to be *John Le Britton*, bishop of *Hereford*, who died 3 *Edw. I.* but as notice is taken in this book of several subsequent statutes, Bishop Nicholson says, that it was compiled by *John Breton*, a judge, *temp. 1 Edw. II.* Mr. *Selden*, however, thinks the name is only another appellation of *Bracton*. See *Selden's Dissert. to Fleta*, c. 1. 2. There is an ancient MS. of *Britton* in the *Harl. Coll.* n. 3644, and another n. 3937.

BROOKE.

The “*Grand Abridgment*” of Sir *Robert Brooke* who was Chief Justice of the Common Pleas, in

2 *Philip and Mary*, was first printed in quarto, French, anno 1568: secondly in 1570: thirdly in 1573: fourthly in 1576: and lastly in folio, anno 1586: but the several editions are not paged alike, nor do the numbers of the placita correspond in all, neither are the titles arranged strictly in alphabetical order. This abridgment, which is principally founded upon that of *Fitzherbert*, is digested under a number of titles, and besides the authorities collected by *Fitzherbert*, the author abridges a great number of readings which do not appear to be now extant, and quotes many Cases which appear to have fallen under his own knowledge as a Judge and Chief Justice of the Common Pleas, and which are not extant any where except in a small Selection from this Abridgment called, “*Brooke’s new Cases.*” For a comparison of the merits of this Abridgment with *Fitzherbert’s*, See *Fulbeck on the Study of the Law*, page 27. b.

For Sir *Robert Brooke’s* “*New Cases,*” vide *Bellewe ante*.

BROWN,

BROWN, Josiah.

The “ *Reports of Cases, upon Appeals and Writs of Error in the High Court of Parliament*, from “ 1701 to 1779,” were first published in 1779, in seven volumes, folio, and afterwards they were reprinted, and continued to the year 1800, with notes by *Thomas Edlyne Tomlins*, Esq. in eight volumes royal octavo, anno 1803.

BROWN, William.

The *Reports of the decisions in the Court of Chancery*, of so much national importance to be recorded, having been neglected for more than 20 years after the death of Lord *Hardwicke*, were at length resumed by *William Brown*, Esq. who has published a collection of them, from the time Lord *Thurlow* first took his seat in the Court of Chancery, in 1778, to the year 1794, interspersed with several notes of Cases in the time of Lords *Northington*, *Camden* and *Bathurst*. The first parts of these Reports were printed periodically, beginning in the year 1785. The *second* edition was printed in folio in 1794, in four volumes; and

the *third* in four volumes, royal octavo, in 1801, with an Appendix of cotemporary Cases, and additions of references to the more modern determinations.

The Cases reported by Mr. *Brown*, are generally considered as too shortly taken; but that may be accounted for by the very brief and concise manner in which Lord *Thurlow* generally pronounced his decrees, seldom giving his reasons for his decisions; his Lordship did not follow the instructive mode of his predecessor Lord *Hardwicke*, neither did he seem to feel the force of that compliment, which the learned *Emerigon* intended to the English Judges, when he said “ Les Juges en Angleterre ne croient pas que se soit assez de bien faire; ils donnent les Motifs de leur decisions, afin qu'on sache qu'on est soumis à l'Empire de la loi, plutot qu'à l'autorité de l'homme.”

The Reports of the decisions in the Court of Chancery have since been continued with great accuracy and precision by *Francis Vesey*, Esq. jun. *Vide tit. Vesey.*

BROWNLOW

BROWNLOW and GOLDESBOROUGH.

The “*Reports*,” of *Richard Brownlow* and *John Goldesborough*, Esqrs. “*of Cases in the Common Pleas*,” in the reigns of “*Queen Elizabeth* and *King James*,” were first published in two parts quarto, anno 1652 and 1654. And in 1675 a third edition of part I. and a second edition of part II. were reprinted in quarto. In the first part printed, there is no table of the Cases.

BULSTRODE.

The “*Reports*,” of *Edward Bulstrode*, Esq. “*of Cases in B. R. regn. Jac. I. & Car. I.*” were first published in 1657, 1658, and 1659, in three parts, folio.

In 2 *Bulstrode* 1658, there is a chasm in the paging from 99 to 109. In 1688 a *second* edition was published, in which there is also a chasm, from page 104 to 114, yet there are the same number of pages in both editions, and the book is perfect.

Bulstrode

Bulstrode is said to have adopted the method of *Plowden* in his Reports, than which there cannot be a stronger recommendation.

BUNBURY.

The “*Reports*,” of *William Bunbury*, Esq. “*of Cases in the Court of Exchequer*,” from the beginning of *King George I.* to the 14th year of *King George II.* were published in folio, 1755, from his own manuscript, by *George Wilson*, Esq. Serjeant at Law, (who was his Son in Law) with the allowance of the Judges. But Lord *Mansfield*, in *Tinkler v. Poole*, 5 Bur. 2658, said these were very loose notes of Cases, and Mr. *Bunbury* never meant that they should have been printed.

BURN, Richard, LL.D.

This learned and industrious Prelate has very worthily employed his time for the good of mankind and to the great assistance of his Brethren in the Magistracy of the Peace.

In 1755 he first published his “*Justice of Peace*
“ and

“ *and Parish Officer*, upon a plan entirely new,
“ and comprehending all the Law to the present
“ Time.” This edition as well as a *second* in 1756
was published in two volumes octavo. A *third*
was also published in 1756, in folio. A *fourth*
in 1757, in three volumes, octavo. A *fifth* in
1758, in folio. A *sixth* in 1758, in three volumes,
octavo. A *seventh* in 1763, the same. An *eighth*
in 1764, in two volumes, quarto. A *ninth, tenth,*
eleventh, twelfth, and thirteenth, in 1766, 1770,
1772 and 1776, in three volumes, octavo. The
fourteenth edition was the first which was published
in four volumes octavo, in which form it has passed
on with gradual amendments, continuations and
improvements through the years 1785, 1793,
1797, 1800 and 1805, in which latter year
the *twentieth* edition was published by *William*
Woodfall, Esq. Barrister at Law.

In 1760 we first find from the indefatigable pen
of Doctor *Burn* his “ *Ecclesiastical Law*,” printed
in two volumes quarto with the addenda. In 1765
the addenda with proper Tables and Indexes were
sold separately in quarto. In 1775 an edition in
four volumes octavo was published, and called the
third;

third; in 1781 a *fourth*; in 1788 a *fifth*, and in 1797 a *sixth*, in four volumes octavo, with notes and references by *Simon Fraser, Esq.*

The two foregoing works are greatly recommended by Sir *William Blackstone*, in his *Commentaries*, B. I. c. 9. 11.

In 1764 Doctor *Burn* wrote, "*A History of the Poor Laws*," which was published in octavo with observations.

And in 1776 he published his "*Observations on the Bill proposed to Parliament for erecting County Work-houses*," in octavo.

BURN, John Ilderton.

Mr. *John Ilderton Burn* in the year 1804 published in royal octavo a digested "*Index to the Modern Reporters of the Common Law*, previous to the Commencement of the Term Reports," including *William Blackstone, Burrow, Cowper, Douglas, Lofft, Lord Raymond, Salkeld, Strange, Willes and Wilson.*"

This

This Index is evidently written upon the plan and model of Mr. *Tomlins's* Index to the Term Reports, and consequently is capable to afford similar information.

In the year 1803 Mr. *Burn* published “ *A Treatise or Summary of the Law relating to Stock Jobbing.* Octavo.

And 1801, “ *A Practical Treatise, or Compendium of the Law of Marine Insurances.*” 12mo.

BURROW.

During the memorable Presidency of the great Earl of *Mansfield*, Sir *James Burrow* seems to have been the first reporter of Common Law Cases. The learned Knight, from a series of many years attendance on the Court of King's Bench officially, and from a constant habit and attention to accuracy in preserving notes of the business in that Court, and being further assisted by the records which passed through his hands in the
course

course of his office, was particularly enabled to give a collection of the Cases from 26 *George II.* to 12 *George III.* in which generally the arguments of the counsel as well as those of the Court, are related in a very full and accurate manner, and in a method adapted to give a regular view of the actual progress of the cause as it occurred in Court, which of course led the reporter into a more diffuse and circumstantial detail of the arguments, than has in general been thought necessary by other reporters, but which appears to have been considered by the author as essential to an exact report of the Case, as well as conducive to the improvement of the Student. These reports have accordingly maintained a degree of reputation with the profession, and it may reasonably be presumed that the many important Cases, which seem to have originated on points of law, arising out of the advanced state of society and commerce among us, and which consequently have made it necessary to extend a liberal mode of construction to the more strict and technical principles of former periods, must of course give additional consequence to the determinations therein reported, and

and render this collection of Cases, a work of the first necessity in the Library of a modern lawyer.

The Reports of Sir *James Burrow* have passed through four editions; the last of which was printed with additional notes and references in 1790, in five volumes royal octavo.

The same author published a separate collection of his “*Reports of the Decisions of the Court of King’s Bench, upon Settlement Cases, from the year 1732 to 1776,*” having during the whole of that period, uniformly attended that Court, and made it a part of his employment to record the proceedings of it; and in this part of his labors he had the satisfaction of being greatly instrumental in promoting the knowledge of this much litigated branch of the law, which from the experience of later years, is found to be productive of much fewer appeals to the Court of King’s Bench than heretofore, which beneficial effect may in a great measure be attributed to the merit of this work.

The Decisions above mentioned have been twice printed, *first* in quarto in 1768, 1772 and 1776, to
which

which were subjoined a few thoughts on pointing, and *secondly* in 1786, with marginal notes and references.

It is said that Sir *James Burrow* intended to have published his Reports of the Cases decided in the Court of King's Bench, during the time of the three Chief Justices immediately preceding Lord *Mansfield*, and that the Manuscripts of such Cases were in the hands of *Robert Burrow*, Esq. his Nephew, lately deceased.

BUTLER.

To *Charles Butler*, Esq. the profession are indebted for compleating the elaborate task of annotating the Commentaries of Lord *Coke*, upon the Tenures of *Lyttleton*, which had been begun and was continued by *Francis Hargrave*, Esq. with indefatigable labor for the greatest part of ten years, when he found it necessary to relinquish the prosecution of his first design, notwithstanding his great partiality and reverence for the original work. At this period Mr. *Butler*, with equal veneration for the original, very liberally and disinterestedly undertook the completion of the

Annotations

Annotations, which he executed with the reputation of great professional knowledge and industry, thereby rendering the latter editions of *Coke's* first Institute eminently distinguishable from all that had preceded them.

It is natural to suppose that an undertaking so arduous and so laborious, would have absorbed all the leisure of a practical professor's life; but it was not so with Mr. *Butler*: for afterwards, in the year 1799, we find a third edition of his "*Horæ Biblicæ*," affording a connected Series of Miscellaneous Notes on the original Text, early Versions, and printed editions of the Old and New Testament, and in 1802, a second part of the same work, containing Notes on the Koran, the Zend-avesta, the Vedas, the Kings and the Edda, in two parts, crown octavo.

Again, in the year 1804, Mr. *Butler* published his *Horæ Juridicæ Subsecivæ*, whereby he further afforded us a connected Series of Notes respecting the Geography, Chronology, and Literary History of the principal Codes, and original Documents

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of the Grecian, Roman, Feudal and Canon Law, in one volume, octavo.

In the year 1801, Mr. *Butler* published some *Letters to a Nobleman on the Coronation Oath*, in one volume octavo.

And in 1778, *An Essay on the Legality of impressing Seamen*, in one volume octavo.

CALDECOTT.

The “*Reports*” of *Thomas Caldecott, Esq.* “*of Cases relative to the Duty and Office of a Justice of Peace,*” were first compiled from Michaelmas 1776, to Hilary 1782, and were printed in quarto in 1786; but they were afterwards continued by the author to Trinity 1785, and printed in 1797.

Mr. *Caldecott* is generally allowed to have been peculiarly conversant with this Branch of the Law.

CALTHORPE.

CALTHORPE.

In 1642 were published, from the collection of Sir *Henry Calthorpe*, “ *The Liberties, Usages and Customes of the City of London*, confirmed by especial Acts of Parliament, with the time of their confirmation; also divers ample, and most beneficial Charters granted by King *Henry VI. Edward IV. and Henry VII.* not confirmed by Parliament, as the other Charters were, and where to find every particular Grant and Confirmation at large.” This book, which is in nature of an alphabetical Index to *Liber Albus*, was compiled by Sir *Henry Calthorpe*, for his private use as Recorder of London, and was afterwards printed for the benefit of the City, and reprinted in the years 1760 and 1674, as also in Lord *Somers’s* Tracts, third Collection, vol. I. 351.

In 1655 were published the “ *Reports*,” of Sir *Henry Calthorpe*, “ *of Special Cases, touching several Customs and Liberties of the City of London*, whereunto is annexed divers antient

“ Customs and Usages of the said City, never
“ before in print.” 12mo.

CARTER.

The “ *Reports*” of Samuel Carter, Esq. “ of
“ *several Cases in the Court of Common Pleas*,
“ in 16th, 17th, 18th, and 19th, years of King
“ Charles II. were published in 1668, to which are
“ added some Cases adjudged in the Time of Lord
“ C. J. Vaughan. Folio.

CARTHEW.

The “ *Reports*” of Thomas Carthew, Esq. “ of
“ *Cases in the Court of King’s Bench*,” from 3
Jac. I. to 12 William III. were *first* published in
folio, anno 1728, and *secondly* with the addition of
some marginal references in 1741. Folio.

Lord Kenyon, in *R. v. Heaven*, 2 T. Rep. 776,
said, that Carthew was in general a good Reporter.
Vide etiam, Willes’s Reports, 182 ; but Lord
Thurlox, in *Bishop of London v. Fytche*, 1 Bro.
Ch.

Ch. Ca. 97, denied his authority. Vide *Comberbach* post.

CARY.

The “*Reports*” of Sir George Cary “*of Cases in Chancery*,” are out of the Labors of Mr. *William Lambert*, and were *first* published in 12mo. anno 1650, to which are annexed the King’s order and Decree in Chancery, for a Rule to be observed in that Court. A *second* edition the same as the first was published anno 1665 in 12mo. but they are not paged alike.

CASES in CHANCERY.

“*Cases argued and determined in the High Court of Chancery*, in the reign of *Charles II.*” were *first* printed in three parts, folio, anno 1697; *secondly* with some references in 1707, three parts, folio; and *thirdly*, in three parts, carefully corrected from the errors of the former impressions, to which are added proper notes and references to the books of law and equity, with many new Cases, Maxims, and Rules. Part I. third edition, dated

1730, or 1735; Part II. second edition, 1735, and Part III. no date. Folio.

CASES IN B. R. TEMP. HOLT.

By this title, these Reports are cited, though improperly; for the book contains certain "*Cases and Resolutions in the Court of King's Bench, concerning Settlements and Removals, from 1 George I. to the*" (then) "*present time,*" (probably 1729) "*most of them being in the time of Lord C. J. Parker. The fourth edition, with the addition of Cases in the time of Sir John Holt, and an Abstract of the Statutes concerning the Poor,*" was published in octavo, 1742. We find two former editions only, under date 1732 and 1729, octavo. There is another book called "*Reports temp. Holt,*" which see post.

CASES IN EQUITY, TEMP. TALBOT.

This Collection comprises, "*Cases in Equity in the time of Lord Charles Talbot, viz. from 7 to 10 George II.*" they were *first* published in folio, anno 1741; *secondly* in folio, anno 1753, with

with some references; and *thirdly*, in royal octavo, with additional references by *J. G. Williams*, anno 1792.

N. B. It was said by Lord *Bathurst* in *Daw v. Lord Chatham*, that these Cases were taken by Mr. *Forrester*, as far as page 217, but no farther: these Reports however are frequently cited by the name of *Forrester*.

CASES IN B. R. TEMP. HARDWICKE,

These “ *Cases were argued in K. B. in 7, 8, 9, and 10 George II. in the time of Lords Hardwicke and Lee; to which are added two Cases in Equity determined by Lord Charles Hardwicke, published under the inspection of an eminent Lawyer.*” Folio, anno 1770.

This book is cited as *Rep. temp. Hardwicke per Annaly*. V. Jac. Law Dict. 11. ed. Several of the same Cases were printed before almost verbatim. V. *Cunningham’s Reports*.

CASES TEMP. WILLIAM III.

Cases in B. R. from 2 William III. to the end of his reign. Vide 12 Mod. Rep.

CASES OF PRACTICE IN K. B.

In 1778 were published “ *Cases of Practice in the Court of King’s Bench* from the reign of Queen Elizabeth to 14 George III. selected from the books of Reports, and methodically arranged under proper titles.” Quarto.

CHITTY.

In 1799, “ *A Treatise on the Laws of Bills of Exchange, Checks on Bankers, Promissory Notes, Bankers Cash, Notes, and Bank Notes,*” was published by Joseph Chitty, Esq. who in the year 1807, publish a *second* edition, corrected and enlarged with an appendix of Precedents.

CHOICE CASES IN CHANCERY.

These Cases were printed in 1672, in a book intitled "*Practice in Chancery unfolded*," with the nature of the several offices belonging to that Court. 12mo.

CLAYTON.

See "*Reports of Assizes at York*," post.

CLIFFORD.

Clifford's "*Southwark Election Cases*, relative to " the Treating Act of 37 George III." were published in octavo, annis 1797, 1802.

COKE'S REPORTS.

When Lord *Coke* first presented himself to the profession, in the office of reporter, he entertained and exhibited great respect for the labours of his immediate predecessor in that task (Mr. *Plowden*) insomuch that he followed Mr. *Plowden's* method in constructing his own Reports and in digesting a
prodigious

prodigious Treasure of legal learning, comprehending many important Titles of law, which he had amassed during the time that he presided successively in the Courts of Common Pleas and King's Bench in the Reigns of Queen *Elizabeth* and King *James*. Each case has afforded to this learned man, occasion for a display of his capacious stores of knowledge, which he has laid open with solicitude for the instruction and use of the Student, at the same time that he has handed down to us, the most authentic precedents of Judicial Decisions; for which reason Lord *Coke's* Reports have been uniformly received by our Courts with the utmost deference; and as a mark of distinguished eminence, they are frequently cited as 1. 2. 3, &c. *Rep.* without mentioning the author's name, and in his own writings they are usually described as *Lib.* 1. 2. 3, &c.

In 1616, Lord *Coke* having incurred the displeasure of K. *James* on a question relating to the Royal Prerogative, which came before him as Lord Chief Justice, his Majesty suspended him from that office, and directed him to review his book of Reports, in which His Majesty understood many extravagant opinions had been laid down at law, leaving

leaving to his own discretion the amendment of what was fit to be altered, but commanding him to lay his corrections before His Majesty in private for his royal consideration. It does not however appear that Lord *Coke* thought it necessary to make any alteration in his Reports; but it is observable that Lord Chancellor *Ellesmere* (with whom Lord *Coke* had had some difference of opinion with respect to the jurisdiction of their respective Courts) made some exceptions to the reports now extant in print, and to which Lord *Coke* made some replies, all of which are to be found in Sir *Hans Sloane's* Collection of Manuscripts.

The *first* part of Lord *Coke's* Reports was published about the end of Queen *Elizabeth's* Reign, and he accounts for that publication by saying, that he had then for 20 years observed the true Reasons, as near as he could, of such matters in law as had been adjudged upon mature deliberation, and wherein he was of counsel, and that as he never meant to keep them so secret for his own private use as to deny the request of any friend either to view or copy them, so he could never be persuaded by any entreaty until lately to commit them to print.

But

But when he considered that her Majesty's seats of Justice had been so filled with Judges of such excellent knowledge and wisdom as that their equals could not be found in succession, he adventured to publish certain of their resolutions, for the help of their memory who had heard them and perfectly knew them; for the instruction of others who knew them not, or had but imperfectly heard them; and lastly, yet chiefly, for the common good, in quieting and establishing the possessions of many in those general cases wherein there hath been such variety of opinions.

The *second* and *third* parts of Lord Coke's Reports were published within the same reign, and the *fourth* part when Coke was Attorney General in the first year of K. James, as also the *fifth* part which begins with *Cawdrey's* case, from whence Lord Coke took occasion to enter very fully into the subject of the *King's Ecclesiastical Law*, and in which he was answered by Robert Parsons the Jesuit (quarto 1606) much to the satisfaction of Bishop Nicholson; but as the Jesuit wrote in a declamatory stile in defence of the Papal Power, Lord Coke never thought his

his Pamphlet worthy of any reply from him as a Lawyer.

The *sixth* part was published soon after, and the *seventh* in the 6th of K. *James*, where the author stiled himself *C. J. of the Common Pleas*, and reported *Calvin's* case (of *Post Nati*) by order, as appears from his preface. The *eighth* part was published in the 9th of K. *James*, and in the year following the *ninth* part, in which the author took the same title.—In the *tenth* part published in 11th of K. *James* the author is stiled “*Lord Chief Justice of England*,” which was thus qualified in the *eleventh* part printed 13th of K. *James*, viz. “*The eleventh part of the Reports of Sir Edward Coke, Kt. Chief Justice of England (of Pleas assigned to be holden before the King himself) and one of the Privy Council of State.*”

The foregoing were all the Reports published by Lord *Coke* himself. The *twelfth* part of his Reports has a certificate prefixed, subscribed *E. Bulstrode*, signifying that he conceives it to be the genuine work of Sir *Edward Coke*. The title to the *thirteenth* part is “*Select Cases in Law reported by*
Sir

“*Sir Edward Coke*,” and these are asserted to be his in a preface signed I. G.

Lord *Coke*’s Reports, like those of his predecessors, were originally written in French; but they have been since translated and enriched with references to other authorities by divers editors, as we shall shew hereafter.

Besides the subjects treated of in the cases reported by Lord *Coke*, a variety of curious and learned information, chiefly directed to the instruction of students, is contained in the several prefaces prefixed to them, in which the learned author shews his veneration for the laws and constitution of his country, and very strongly recommends an attentive study of them, and preparatory to that purpose he enters into an account of the several ancient authors and treatises on the Laws of England: but with respect to these it has been contended by some later writers, that his Lordship was in some instances mistaken, in giving too much credit to the supposed antiquity of several remains of our early law writers. It is however certain, that we are much indebted to Lord *Coke* for our acquaintance

acquaintance with them, as very little information of that sort is to be derived from the preceding Law Writers.

Lord *Coke's* labours in this branch of learning, independent of his other elaborate works, have entitled him to the veneration of every student, who pursues the knowledge of the laws, and his memory as an upright judge and constitutional lawyer is entitled to equal regard from every Englishman, who values the enjoyment and protection of them, particularly for his exertions on occasion of the Petition of Right and the confirmation of it, which was effected in Parliament (in 2 *Car.* II.) principally through his means, and by which a most essential improvement was made in the fabric of our constitution, by ascertaining and establishing the right of the subject in a matter of the first consequence—the beneficial effects of which have been generally experienced during the succeeding reigns. *Brooke's Biblioth. Leg. Ang.* 212.

Various have been the editions of Lord *Coke's* Reports.

In

In the interval between 1601 and 1616, we find the first *eleven* parts of Lord *Coke's* Reports printed separately in French.

In 1658, the first *eleven* parts were printed in English separately, without the pleadings or any table of principal matters.

In the *same year*, and again in 1677, the *twelfth* and *thirteenth* parts were printed.

In 1680, the first *eleven* parts were printed in English with two tables, one of the names of the cases and the other of the principal matters.

In 1697, the first *eleven* parts were finely printed in French, with marginal references by Mr. *Edward Chilton*.

In 1727, *thirteen* parts of *Coke's* Reports were printed, in seven volumes octavo, with the pleadings in Latin.

In 1738, the same were reprinted in seven volumes octavo, with the pleadings in English.

In

In 1762, the first *eleven* parts were reprinted in French, in two volumes folio.

And lastly in 1776, we reprinted in English, in seven volumes royal octavo, “The Reports of divers Resolutions and Judgments in the several Courts given with great deliberation by the renowned Judges and Sages of the Law of Cases never resolved or adjudged before, and the Reasons and Causes of the said Resolutions and Judgments from the 14 *Eliz.* to 13 *James*, thirteen parts, with references to all the books of the Common Law—the Pleadings in English, and many additional Notes and References by the late *George Wilson*, Esq. Serjeant at Law.”

The Reports of Lord *Coke* have also been abstractedly versified (octavo 1742); in which curious work the name of each case and the principal points are contained in two lines, to which are added references in the margin to all the editions of the said Reports, in two tables, one of the Names of the Cases and the other of the Principal Matters.

Exemplum versificationis.

HUBBARD. If Lord impose excessive fine,
The Tenant safely payment may decline.

Hubbard's Ca. 4 Co. 27.

The design of this versification was to assist the memory in recollecting the point of law determined in each case, which method seems recommended by the practice of Lord *Coke* himself.

Jeo aie oie Mon Seigneur Coke a reciter deux Verses hors de Sir Thomas More.

Three things are to be helpt in conscience,
Fraud, accident, and things of confidence.

Rol. Ab. Chancerie N. c.

So likewise have the Reports of Sir *Edward Coke* been abridged. The first *eleven* parts were abridged by *Thomas Ireland*, and were printed in 1650 and 1657, but more correctly in 1666, and the *twelfth* and *thirteenth* parts by *Robert Manly*.

The learned Sir *William Jones* speaking of Lord *Coke's Report of Southcote's Case* (4 Rep. 83) says, that his opinion was repugnant to natural reason and the laws of all other nations, and that the doctrines he had deduced from the judgment of the court in that case cannot be maintained. It must be allowed (says the author) that his profuse learning often ran wild, and that he injured many a good case by the vanity of thinking to improve it, and further, that in the statement of *Southcote's Case* particularly, his exuberant erudition boiled over and produced the frothy conceit, which has occasioned so many reflections on the case itself, namely, "that *to keep* and *to keep safely* are one and the same thing."—*Jones on Bailm.* 42.

COKE upon LITTLETON.

This celebrated work has witnessed fifteen editions. It comprizes Lord *Coke's* "First Institute of the Lawes of England, and is a Commentarie upon *Littleton* not the name of a Lawyer onely, but of the Law itself."

The *first* edition was printed in folio, in 1628, and is considered very incorrect.

The *second* is esteemed most correct as having been revised by the author, it was printed in folio, in 1629.

The *third* was published in 1633, in the author's life-time, he having died in *September* 1634. Vide *Cro. Car.* 375.

The *fourth, fifth, and sixth* editions were printed in 1639, 1656 and 1664.

The *seventh and eighth*, were printed on better paper in 1670.

The *ninth* was published in 1684, to which is added the *Reading on Fines*, and *Treatise on Bail and Mainprize*.

The *tenth* appeared in 1703, with the addition of *The Compleat Copy-holder* and many references, by an eminent Lawyer.

The

The *eleventh* was printed in 1719, to which are annexed *Old Tenures*, and some notes and additions shewing how far the law is altered since those authors wrote.

The *twelfth* edition was published in 1738, in which some marginal notes are omitted and many added. Mr. *Hargrave* has observed that this edition is very incorrect; instances occurring almost in every page of authorities on which Lord *Coke's* opinions were founded being totally suppressed: a liberty not taken in any other edition.

The latter editions of this work having become very scarce and costly, Mr. *Hargrave* in 1774, published proposals for a new edition, upon a plan (of which a specimen was then exhibited for public inspection), the principal purport of which was to give some additional references, particularly to the Reports published since the *twelfth* edition, and some few Notes, illustrative of the doctrines contained in the text, to be published periodically; and accordingly this industrious editor commenced his elaborate task of ushering a *thirteenth* edition into the world in 1775. Soon after which he was

honored with the communication of Lord *Hale's* notes upon the work by Lord *Hardwicke*; and in the course of his further progress, he was favored by Sir *William Jones*, with a copy of *Littleton*, collated by himself with the older printed copies, as also with two antient Manuscripts in the public Library at Cambridge, by which in concurrence with the plan adopted for correcting the text, the sense of the original is in several important passages restored; and the improvements adopted in the actual execution of the work having been extended much beyond the terms of the first proposals, Mr. *Hargrave* found it necessary in June 1785, after an engagement of upwards of ten years, to relinquish the further prosecution of it; when Mr. *Butler* with equal veneration for the original work, very liberally and disinterestedly undertook the completion of it, and in addition to his own labors procured the valuable acquisition of the notes of Lord Chancellor *Nottingham*; and in further improvement of the original plan, Mr. *Butler* compiled a table of the notes added to this edition, which together with an *Analysis of Littleton's Tenures* written in 1659, by an unknown hand, compose the principal enlargements which so eminently distinguish

guish this *thirteenth* edition, from all that had preceded it. Thus the whole was completed by the united industry and indefatigable care of *Francis Hargrave*, Esq. and *Charles Butler*, Esq. in 1788.

In the year 1789, a *fourteenth* edition was published under the sanction of the same eminent Characters.

And in the year 1794, a *fifteenth* edition was printed in a more convenient and compendious form, viz. in three volumes, royal octavo, the whole of the original text of *Littleton's Tenures*, and Lord *Coke's Commentaries*, being comprized in the two first volumes, with reference to the notes which are contained in the third volume, with the addition of subsequent authorities, by *Charles Butler*, Esq.

COKE's Institutes.

This work consists of *four* parts.

Part I. is a Commentary on the Tenures of Sir

Thomas Littleton (J. C. P. 12 *Edward IV.* anno 1472.)

Part II. contains the Exposition of Magna Charta, and many other antient Statutes.

Part III. concerns High Treason, and other Pleas of the Crown.—And

Part IV. treats of the Jurisdiction of Courts; to which is added, a table of Principal Matters.

The dates of the several editions published in folio, are as follow.

Of the *first* Institute, we have already spoken at large, ante tit. *Coke upon Littleton*. See also *Hawkins's Abridgment* of this Institute.

The *second* was printed in 1642, 1662, 1669, 1671, 1681.

The *third* in 1644, 1648, 1660, 1669, 1680; And

The *fourth* in 1644, 1648, 1660, 1669, 1681.

Afterwards

Afterwards, with a view to render the second, third and fourth parts of Lord *Coke's Institutes* more commodious and uniform with the fifteenth edition of the First Institute as published by Mr. *Hargrave* and Mr. *Butler* in 1794, the three last parts were printed in 1797, in four volumes royal octavo, which together with the above mentioned impression of the first Institute, now form a complete collection of all the Institutes of Lord *Coke*, with all the annotations thereon, in seven volumes, royal octavo.

It is to be observed that the early editions of these Institutes, generally want the tables, which appear to have been supplied by another hand; and that the second, third and fourth parts were published after the author's decease, under an order of the House of Commons, dated 12 *May*, 1641.

And further it was observed by *Hyde*, C. J. in *B. R. Bridgman*, C. J. in *C. B. Sir Geoff. Palmer*, Att. Gen. and *Sir Heneage Finch*, Solicitor General, that in these posthumous works of *Sir Edward Coke*, of the Pleas of the Crown and Jurisdiction
of

of Courts, many great errors were published, and in particular in his discourse of Treason, and in the Treatise of Parliaments. *Kelyng*, 21.

COKE's

Law Tracts and other Miscellaneous Works.

Besides the learned Productions before mentioned from the industrious pen of Sir *Edward Coke*, we are indebted to that great man, for many Compositions of smaller note, some of which were published as a Selection of Law Tracts, in octavo, by *William Hawkins*, Serjeant at Law, in 1764: these consist—1. of *The Complete Copy-holder*, or a Discourse of the Antiquity and Nature of Manors and Copy-holds. 2. *Reading on 27 Edward I.* called the *Stat. de Finibus levatis*. 3. *A Treatise of Bail and Main-prize*, to which are added the *Old Tenures*, as also some notes and additions, to *Lord Coke's Commentary on Lyttleton*, shewing how the laws are altered since those authors wrote.

The *Complete Copy-holder* was previously published in quarto in 1641. Again in 12mo. in 1644; again in quarto, in 1650, with *Calthorpe's*

Reading

Reading between the Lord of a Manor and a Copy-holder his Tenant, and also the orders of keeping a Court Leet and Court Baron. Again with a Supplement, in 1668, again in 1673, both in 12mo. and again in 1703, with the tenth edition of the first Institute.

The *Old Tenures* with notes and additions, were also previously printed in 1719, with the eleventh edition of the first Institute.

The *Treatise on Bail and Main-prize* was printed in quarto, in 1637, and reprinted, as also the Reading on Fines, with the ninth edition of the first Institute in 1684.

We further find among the miscellaneous productions of Sir *Edward Coke*, *His Speech and Charge given at Norwich Assizes*, with the discovery of Abuses and Corruption of Officers, which was printed in quarto in 1607. Vide *Barrington's Observations on 11 Henry VII.* but it is not authentic. V. etiam *Pref. to 7 Rep.*

Also Lord *Coke's Book of Entries*, containing
precedents

of Counts, Declarations, Informations, Plaints, Indictments, Bars, Replications, &c. which was *first* published in 1614, and *secondly* in 1671. These entries are quoted by the title of *New Entries* and *New Book of Entries*, by *Selden*, *Rolle*, and others, in contra-distinction to *Rastell* and the older books, in the same manner as *Rastell* had before obtained that distinction, and is occasionally quoted by older writers, with respect to the *Liber Intrationum*, &c. and, lastly, we find Lord *Coke's Declarations and Pleadings* contained in his eleven books of Reports, which were printed in English in 1650, and which supply the defects in the editions of the Reports, printed in 1658, and 1680, where the Pleadings are wanting.

COLLECTANEA JURIDICA.

This Collection consists of several valuable "*Law Tracts relative to the Law and Constitution of England*," never before published, among which are *Hudson's Treatise of the Court of Star Chamber*, Lord *Bacon's Arguments* in the case *Rege Inconsulto*. The Case of *Perrin v. Blake*, with the arguments of the Judges and several other original
Cases,

Cases, Arguments, Judgments, and Opinions of eminent modern Counsel on difficult and important questions of law, including several of that able Conveyancer *Charles Fearne*, Esq.

This work was printed in two volumes octavo, 1791, 1792.

COLLES.

The “*Reports*” of *Richard Colles*, Esq. “*of Cases upon Appeals, and Writs of Error, in the High Court of Parliament, from 1697 to 1709,*” were published in *Dublin* in 1789, and they appear to be very accurately taken.

This Work is called a Supplemental volume to *Brown’s Parliamentary Reports*, though for the most part, the Cases are antecedent to Mr. *Brown’s* Period.

COMBERBACH, CARTHEW, and NOY.

The “*Reports*” of *Roger Comberbach*, Esq. “*of Cases in the Court of King’s Bench from 1*

“ *Jac.*

“ Jac. II. to 10 *William III.*” were printed in folio anno 1724.

Buller, J. in delivering his opinion in answer to the question proposed by the Judges in *Bishop of London v. Fytche*, in the House of Lords, taking notice of a Case, which had been cited from *Comberbach*, and one cited from *Noy*, by the Counsel at the Bar, observed that they were books of no authority, and if his memory did not greatly fail him, had been forbidden by some of their predecessors to be cited at the Bar. In the debate of the same case, Lord *Thurloze* said *Carthew* and *Comberbach* were equally bad authority.

COMYNS, Sir John.

“ *A Digest of the Laws of England*” was originally published by Lord Chief Baron Sir *John Comyns* in 1762, 1764, 5, 6, and 7, under alphabetical heads, with tables of Principal Matters, in five volumes folio; and in 1776 a continuation of the more modern Cases was published by another hand. In 1781 a *second* edition was published, with the continuation included under one alphabet,

alphabet, in five volumes folio. In 1792 a *third* edition was published, with additions, by *Stewart Kyd*, Esq. in six volumes, royal octavo. And in 1805 a *fourth* edition was printed, considerably enlarged, and continued down to the present time, by *Samuel Rose*, Esq. in six volumes royal octavo.

This Digest being founded on an entire new and comprehensive system of arrangement, and framed upon an accurate, profound, and scientific distribution of the several parts of our jurisprudence, is esteemed the most perfect model of an abridgment or system of our law. The method, however, of digesting the substance of the several cases being very close and concise, the use of this work is more particularly advantageous to the experienced barrister, in furnishing a ready reference to the cases as recorded at large in the books of Reports and other authorities. *Bro. Account of Law Writers*, 234.

Mr. *Hargrave* has observed (*Co. Litt.* 17 (a)), that the whole of Lord Chief Baron *Comyns's* work is equally remarkable for its great variety of matter, its compendious and accurate expression, and the excellence of its methodical distribution, but that

that *Pleader* seems to have been the author's favorite title.

The profession is also indebted to the same author for a book of “ *Reports of Cases adjudged in the King's Bench, Common Pleas, and Exchequer, with some special Cases in Chancery, and before the Delegates*, temp. K. Will. Q. Anne, K. Geo. I. and II.” which were published in 1744, in folio; and in 1792, a *second* edition was published, with notes and references, by *William Rose*, Esq. in two volumes royal octavo.

COOKE.

The Bankrupt Laws, upon the subject of which many books had before been written, were reduced in the year 1785 to a more methodical distribution and arrangement, with great professional skill, by *William Cooke*, Esq. who then published *A Compendious System of those Laws, with an Appendix of Practical Precedents*, in octavo. In 1787 a *second* edition was published; in 1793 a *third* edition, in two volumes; in 1796 and 1799 a *fourth* edition, with addenda thereto in 1801, containing

containing the determinations to the end of the year 1800, with the orders of Lord Chancellor *Loughborough*; and a *fifth* edition in 1804, containing extracts of the Statutes now in force, and the Cases and Determinations of Courts of Law and Equity, including the most modern Decisions extant, together with a Collection of the most useful and approved Precedents, and the Orders of Lord Chancellor *Apsley, Loughborough and Eldon*, for regulating the Proceedings in matters of Bankruptcy.

See also *Cullen, Montague*.

CORNWALL DUTCHY.

The question decided in the "*Case of the Dutchy of Cornwall*" was, whether the King's second son (the elder being dead) be, of right, successor to the said Dutchy in England? This important case was heard and determined by the Court of Delegates, and printed by the King's printer in 1613, folio. See "*The Prince's Case*," 8 Co. 14.

COTTON.

The Records of the Tower of London from the Reign of *Edward II.* to *Richard III.* of all Parliaments holden in each King's Reign, were abridged by Sir *Robert Cotton*, and published by *William Prynne* in 1657, who added a Preface and several Tables, and supplied many deficiencies in the work. The edition of 1679 is the same with a new title page.

The substance of acts of parliament and other particulars not extant in print among the Statutes or Parliament Rolls is recorded by this Abridgment, which supplies the purpose of a useful Index to the Rolls of Parliament lately published. *Harg. Co. Lit.* 133. b.

This elaborate work is attributed to different authors. *Prynne* on 4 Inst. p. 38. 45. ascribes it to Mr. *Vincent*, Keeper of the Records in the Tower (of whom he makes honorable mention in *Epist. Ded. to Brev. Parl.*), though published under the name of Sir *Robert Cotton*, since the author's decease; it is also said to have been compiled

piled by Mr. *Robert Bowyer*, Keeper of the Records in the Tower (vide *Tyrrel's Hist. of Eng.* Preface to Vol. III.), and by the editor of *Hearne's Curious Discourses*, in Appendix, it is given to *William Lambard*, likewise Keeper of the Tower Records.

“ A Treatise of the Court of Chancery, in MS. “ by Sir *Robert Cotton*,” is often cited in disputes concerning the jurisdiction of the Court of Chancery, and the authority of the Master of the Rolls, as a MS. in Lord *Somers's* library. A copy of it, however, is in Mr. *Hargrave's* Collection of Law MSS.

There is a valuable Collection called *Cotton's* MSS. which contains a great number of original charters and records, and other matters chiefly relating to our history and constitution, an accurate catalogue of which was published by Dr. *Thomas Smith*, at *Oxon*, in 1696; and on occasion of the unfortunate fire at *Cotton House, Westminster*, where this remarkable treasure was formerly kept, an account was published, by authority, of the damage sustained by that accident, under the title

of “ Report from the Committee appointed to
 “ view the Cotton Library, and other public Re-
 “ cords of the Kingdom, containing an Account
 “ of the Damage done at Cotton House, with a
 “ Catalogue, by Mr. *David Casley*, of the MSS.
 “ Records, &c. defaced or destroyed; also an Ac-
 “ count of the Nature and Condition of the Re-
 “ cords deposited in each of the public Offices,
 “ and a general Table of the Records under the
 “ heads of Chancery, Common Law, Exchequer,
 “ and Dutchy Court of Lancaster, drawn up by
 “ Mr. *Lawton*.” Folio, anno 1732.

A Catalogue of the MSS. in the *Cottonian* Library, digested under proper heads or titles, was also made by *Thomas Astle*, Esq. in 1777, to which are added, many emendations and additions; with an Appendix, containing an account of the damage sustained by the fire in 1731, and also a Catalogue of the Charters preserved in the same library, by the Rev. Mr. *Widmore*. Octavo.

In 1651, 1672, 1679, *James Howell*, Esq. published “ Divers choice Pieces of that renowned
 “ Antiquary Sir *Robert Cotton*,” under the title of
 “ *Cottoni*

“ *Cottoni Posthuma*,” “ wherein are discussed several important Questions concerning the Right and Power of the Lords and Commons in Parliament;” the first of which publications (in 1651) contains a history of the life of *Henry III.* generally omitted in the subsequent editions. Mr. *Petyt*, however, terms this a fictitious work (*Petyt’s MSS.* vol. H. p. 281), yet it contains several valuable and curious particulars. *Barrington on Chartæ Forestæ.*

COUTUMES DE BEAUVOISIS

The laws and usages of this part of *France* and of *England* being very similar, and probably reciprocally derived from each other, this Collection may properly form a part of the English Lawyer’s Library: it was first published by *Beaumanoir*, in 1690. *Barrington* (in *Obs. on 27 Hen. VIII.*) says, “ This Treatise of *Beaumanoir* is so systematical and complete, and throws so much light upon our ancient common law, that it cannot be too much recommended to the perusal of the English antiquary, historian, or lawyer. He kept the Courts of the *Count de Clermont*, and

“ gives an account of the customary laws of *Beau-*
 “ *voisis* as they prevailed in 1283. He is conse-
 “ quently a more ancient writer than our *Littleton*,
 “ and to speak with all due reverence to this fa-
 “ ther of the law, perhaps a better writer. It was
 “ first published in *Bourges*; in 1690, with a short
 “ Commentary by *Gaspard Thaumas de la Thau-*
 “ *massiere*, who at the same time published *Les*
 “ *Assises de Jerusalem*, which contain a most
 “ complete code of regulations for the government
 “ of Christians whilst in possession of that part of
 “ *Asia*, and may therefore be supposed to partici-
 “ pate of the laws of most parts of *Europe*.”

COOPER.

The “ *Reports*” of *Henry Cooper, Esq.* “ of
 “ *Cases in B. R.* from II. 14 to T. 18 *Geo. III.* in-
 “ clusive,” which were *first* printed in folio in
 1783, and *secondly* in 1800 in royal octavo, are ac-
 knowledged to be a very accurate and valuable
 collection: the method of reporting adopted by
 this author having equally avoided the objections
 of too great diffuseness and of obscure brevity.

CROKE,

CROKE, Sir George.

The Reports of Sir *George Croke* consist of nearly a complete series of Determinations occasionally in both the Common Law Courts, from 23 *Eliz.* to 16 *Car.* I. and may properly be considered as a continuation of *Dyer*; they are generally very concise, perspicuous, and accurate, and have obtained the character of great authenticity. The reputation of this Reporter, and the general estimation of the work, have probably been promoted by the advantage of having first led the way in divesting this branch of legal literature of the foreign idiom, and adopting the author's native language, into which his Reports were translated by his relation Sir *Harbottle Grimstone*, M. R. *temp.* *Car.* II. who also bestowed great pains on their publication, and in the addition of Tables, and other assistances to the proper use of them.

There have been several impressions of *Croke's* Reports, viz. in 1657, 1658, 1661, all of which are called the *first* edition, and are frequently without Tables of the principal matters; there is also a very incorrect edition, varying in the num-

bers from the other editions, and the dates are printed in numerical letters MDCL. &c. It is probably this edition that was alluded to in 2 Keb. 316. When 3 Cro. 843 being cited, the Court paid no regard to that book, and *Keeling* said, it were better that it had never been printed.

An impression of the year 1669 is called the *second* edition; it is well printed, in three volumes, but has no references. Each volume of *Croke* is usually referred to by figures 1, 2, 3, according to the order of the reigns of *Eliz. Jac.* and *Car.* but the references in the book itself preserve the contrary order, being that in which the volumes were originally published. In *Cro. Eliz.* the paging from 457 to 473 is repeated, and in *Cro. Jac.* from 617 to 620 are also repeated.

The *third* edition is that which was translated and published in 1683 or 1685, by Sir *Harbottle Grimstone*, with tables and references; in three volumes folio.

The *fourth* and last edition was published in 1790, 1791, 1792, in four volumes royal octavo,
with

with additions of marginal notes, and many references to later authorities (including several from the MS. Notes of the late Lord Chief Baron *Parker*), by *Thomas Leach*, Esq.

There is an accurate Abridgment of *Croke's Reports*, in three parts, octavo, by *Wm. Hughes*, Esq. published in 1685.

CROKE, Alexander.

The Reports of Dr. *Alexander Croke* are, of Cases in the Ecclesiastical Court. The first is a “*Report of the Case of Horner v. Liddiard*, upon “ the Question of what Consent is necessary to “ the Marriage of Illegitimate Minors,” determined in the Consistorial Court of London by Sir *William Scott*, with an introductory Essay upon the theory and the history of laws relating to illegitimate children, and to the encouragement of marriage in general. Octavo, anno 1800.

And the second is of “*An Argument in the “ High Court of Admiralty*” (27 Nov. 1799) “*in “ the Case of the Hendriots and Mariæ*, upon the
“ Question

“ Question of the Validity of a Sentence of Con-
“ demnation whilst a Vessel is lying in a Neutral
“ Port.” Octavo, anno 1800.

CRUISE.

An Essay on the Nature and Operation of Fines and Recoveries seems to have been the *first* production from the pen of the learned *William Cruise*, Esq. the *first* edition of which was printed in octavo, in 1783; the *second*, with considerable additions, in two volumes octavo, anno 1786; and the *third*, revised, corrected, and enlarged, in two volumes octavo, anno 1794. This work was professedly written on the model of Mr. *Fearne's Essay on the Learning of Contingent Remainders and Executory Devises*; and is reputed to have done great credit to the author's ability in the branch of learning peculiar to the practice of conveyancing.

In the year 1795, Mr. *Cruise*, with equal ability, published his *Essay on Uses*, in one volume octavo.

And

And in 1804, his *Digest of the Laws of England respecting real Property*, in seven volumes royal octavo; until the publication of which, it is said, that the law of real property was never clearly laid down.

CULLEN.

The *Principles of the Bankrupt Laws* were published in 1801, in octavo, by *Archibald Cullen*, Esq. whose publication is reputed to have great credit, and has been well received as a book of fundamental knowledge in this branch of the law.

CUMBERLAND.

To *Richard Cumberland*, Lord Bishop of *Peterborough*, we are indebted for an excellent "*Treatise on the Laws of Nature*;" which was first printed in Latin, quarto, anno 1672, but afterwards it was translated by *J. Maxwell*, M.A. with an Introduction, and published in quarto, anno 1727. And lastly, in 1750, it was reprinted and published in quarto, with notes, by the Rev. *J. Towers*, Preb. of St. Patrick's, Dublin.

Several

Several Latin and French editions of this work have been printed in quarto, with notes, by *Barbeyrac*, viz. at *Amsterdam* in 1744, *Leide* in 1757, &c. &c.

CUNNINGHAM.

The “*Reports*” of *Timothy Cunningham*, Esq. contain “*Cases in the Court of King’s Bench* in “ 7, 8, 9, and 10 *Geo. II.* to which is prefixed, a “ Proposal for rendering the Laws of England “ clear and certain, humbly offered to the Con- “ sideration of both Houses of Parliament.” (See Preface to 5 *Mod.* by W. N.) Part I. only published concerning 8 and 9 *Geo. II.* Second edit. folio, 1770.

DAGGE.

The doctrines and principles of the Crown Law have been ably treated by *Henry Dagge*, Esq. whose “*Considerations on the Criminal Law*” were first published in 1773, and afterwards, with corrections and additions, in 1774; in three volumes royal octavo.

DALLISON.

DALLISON.

Vide *Benloe and Dallison—Keilway.*

DALRYMPLE.

An Essay towards a General History of Feudal Property, in Great Britain, having been written by Sir John Dalrymple, under various heads, it was first published in octavo, in 1757; *secondly* in 12mo. in 1758; *thirdly* in octavo, in the same year; and *fourthly* in 1759, in 12mo. corrected and enlarged.

It is remarkable that notwithstanding the difference of dates, and that the last edition is called the fourth, and said to be corrected and enlarged, there is no difference in any of them, except a small addition from *Spelman's Remains*, in page 110, and another from *Craig*, page 239, and even that addition is not in the fourth edition. In the fourth edition several of the literal errors of the former editions are retained, though they are pointed out as Errata in the third edition.

D'ANVERS.

D'ANVERS.

Knightly D'Anvers, Esq. published a "general
 " Abridgment of the Common Law, alphabetically
 " digested under proper titles," as far as the head
 of *Extinguishment*, (in three volumes, folio 1725,
 1732, 1737); which Abridgment as far as it goes
 is a Translation of Lord *Rolles*, with the additions
 of some more modern books of Reports, &c. the
 latter being printed in the Roman letter by way of
 distinction.

DAVY.

The "*Reports*" of Sir *John Davy*, were printed
 in *Dublin*, and contain "*Cases in Law in the*
 "*King's Courts in Ireland*, from 2 to 9 *James*,
 " with a learned preface, dedicated to Lord
 "*Charles Ellesmere*, and a large table of the Prin-
 " cipal Matters, which is sometimes wanting."—
 The Reports were *first* printed in 1615; *secondly*
 in 1628; *thirdly* in 1674, (in French, folio); and
fourthly, (in octavo, English,) in 1762.—See
Nicholson's Irish Hist. Lib. quarto, page 52. *Black-*
stone's Commentaries, B. 3. C. 12.

DE LOLME.

DE LOLME.

“ *A Treatise on the Constitution of England,*
“ or an Account of the English Government, in
“ which it is compared with the Republican form
“ of government, and occasionally with the other
“ Monarchies in Europe,” has been written by
M. I. L. De Lolme. It appears to have passed
through six editions; it is much esteemed, more
especially as coming from the pen of a Foreigner.
The author of *Junius* (in preface, 31) recommends
it as a performance, deep, solid, and ingenious.
The three last editions of this work are dated 1784,
1790, 1796.

In 1800, were published in quarto, M. De
Lolme's “ *Observations on the Subject of Executory*
“ *Devises*, to which is added a postscript.

DICKINS.

The “ *Reports*” of John Dickins, Esq. contain
“ a few Cases argued and determined in the High
“ Court of Chancery,” which were revised by
John Wyatt, Esq. two volumes, royal octavo,
anno

anno 1803. From the author's official situation as Register of the Court of Chancery, for many years, great expectations were formed by the profession, from the proposed publication of them; *sed parturient Montes, &c.*

DOCTOR and STUDENT.

Vide "*St. German*," post.

DODDERIDGE.

To the learned Judge of this name many valuable works have been justly attributed, which, in their title pages, have borne the names of others; and indeed it was the fate of this great man to lay long entombed in earth, before those laurels which should have adorned his grave upon his exit, spread forth to perpetuate his name.

For some account of *J. Dodderidge*, see *Prince's Worthies of Devon*, and *Wood's Athen. Oxon.* tit. *Wentworth*. Vide etiam post, tit. "*Touchstone*," and "*Wentworth's Office and Dutie of Executors*," both of which books are said to have been written
by

by him. Judge *Dodderidge* died in 1626, or 1627.

In 1631, we find in print “*The English Lawyer*” by Sir *John Dodderidge*, it describes “a Method of managing the Laws of this Land,” and expresses “the best qualities requisite in the Student, Practiser, Judges and Fathers.”

“*The Lawyers Light*, or a true Direction for the Study of the Law, Choice of Books, &c.” which was printed with Lord *Bacon*’s “Use of the Law,” in quarto, anno 1629, is attributed to Sir *John Dodderidge*, and said to be a part of his “English Lawyer.”

DOMESDAY-BOOK.

This very antient and valuable Record was grounded upon the *Codex Wintonianus* of King *Alfred*. It was compiled by *William the Conqueror*, from a Survey which was made by his order, and which is still extant in the Exchequer. It consists of two volumes; the *first* containing the Counties of Essex, Norfolk, and Suffolk; and the *second*

the rest of the English Counties, except Durham, Cumberland, Westmoreland and Northumberland.

This Survey was begun anno 1080, and mentions how much arable Land, Pasture, Meadow and Wood, every man had, and the extent and value of them as well in the time of *Edward the Confessor* as at the time of the Survey ; also what Mills and Fisheries, and in some Counties, the number of Freemen, Socmen, Villeins, Borders, Servants, Young Cattle, Sheep, Hogs, Horses, &c. in every Town and Manor, and to whom they belonged.

There is also a *third* book which was made by command of the Conqueror, and which differs from the others more in form than matter. And a *fourth* book is kept in the Exchequer, which is called *Domes-day*, and which though very large, is only an abridgment of the others. Likewise a *fifth* book is in the Remembrancers Office, which has the name of *Domesday*, but it is the same as the fourth. This fourth book has many pictures and gilt letters in the beginning, relating to the time of King *Edward the Confessor*, which led the annotator on *Fitzherbert's Register* into a mistake, for in page 14 he tells us, that *Liber Domes-day factus fuit*

fuit tempore Regis Edwardi. For a more full account of this Survey, See *Nicholson's English Hist. Libr.* quarto, page 171; *Spelm. Gloss.* verb. *Domesdei*; the other books cited in *Wright's Tenures*, page 56; *An account of Domesday book and of Danegeld*, printed by order of the Antiquarian Society in 1756, quarto; *Howell's Dictionary*, tit. *Domesday-book*; *Gough's Top. Brit.* Preface, 182. *Domesday-book* is now made public, by order of the House of Lords; it was transcribed from the original, and most accurately revised by *Abraham Farley*, Esq. and is printed in two volumes, with types resembling the original, cut for the purpose by *Mr. Jackson*, and executed at the press of *Mr. John Nichols*. For an account of *Domes-day book* in the Exchequer MSS. Harl. MSS. n. 4626. *Mr. P. C. Webb* also published an account of *Domesday-book* and of *Danegeld*, which was printed by order of the Society of Antiquaries, in quarto, anno 1756.

Strype, in his Survey of London, mentions a *Domesday-book*, in the Saxon Language, which was a Register of the Laws of *London* and the *Portgreves*, and was sometime kept in *Guildhall*.

The Dean and Chapter of *York* have a Register stiled *Domes-day*; so has the Bishop of *Worcester*; and there is an antient Roll in *Chester* Castle called *Domesday-roll*.

DOUGLAS.

The “*Reports*” of *Sylvester Douglas*, Esq. (now Lord *Glenberrie*) of *Cases in B. R.* in 19, 20, 21 and 22, *George III.* have passed through *three* editions. The *first* was printed in folio in 1782: the *second* in 1786, in folio (with additions which are printed separately,) and the *third* with additions in royal octavo, in 1790. The profession however are much inconvenienced in referring to the latter editions of these Reports, by reason that the pages of the first are not preserved.

This collection of adjudged Cases is esteemed to be executed in the method, best calculated, as well for transmitting with accuracy the determinations of the Courts, as for the advantageous use and improvement of the Practitioner and the Student. The preface to this collection also contains a general account of the different methods
of

of reporting Cases, with certain strictures which the author has laid down to himself in framing his Reports, which are highly worthy the attention of future adventurers in this walk of legal literature.

To this gentleman the profession are also indebted for a *History of the Cases of Controverted Elections during the first Session of the fourteenth Parliament of Great Britain, with an Introduction of the Jurisdiction of the House of Commons in the Trial of Controverted Elections*. The first edition of which was printed in 1775 and 1777, in four volumes octavo; and the second, in four volumes octavo in 1802.

Mr. Hargrave, (in *Co. Lit.* 110. a (n)) says it is with great pleasure we cite Mr. Douglas's work, as it affords the opportunity of congratulating the Student on the accession of a collection of excellent Reports on the Law of Parliamentary Election, accompanied with an instructive historical preface, and very judicious observations, and is the only work of the kind, except one lately published from Mr. Glanvil's MSS. and that they are both particularly valuable, on account of their

tendency to diffuse the knowledge of a branch of Law which before was too much confined to the narrow circle of the few favorites in possession of the practice. See also *Hatsell's Prev. of Proceed. in the House of Commons*, page 23.

DUCANGE.

The readers of the Latin authors of the middle age, are greatly indebted to the labors of *Car. Dufresne Dom. Du Cange*, for a *Glossary* of the writers of that period, which was printed at Paris, anno 1678, in three volumes folio, and reprinted by the Monks of St. Benedictine, of the congregation of St. Maur, with great additions, in six volumes folio, anno 1737; and there is another edition in which the six volumes are comprized in three. This learned work comprehends the terms used by *Bracton*, *Glanville*, and other old law writers, and explains words omitted by *Spelman*, and in our English Dictionaries.

DUGDALE.

To the learned antiquary, Sir *William Dugdale*, we are indebted for that curious and authentic
work

work called "*Origines Juridiciales*, or Historical
 " Memorials of the English Laws, Courts of Jus-
 " tice, Forms of Trials, Punishment in Cases Cri-
 " minal, Law Writers, Law Books, Grants and Set-
 " tlements of Estates, Degrees of Serjeants, &c." This book was *first* printed in 1666, *secondly* in 1671, and *thirdly*, with several curious prints and the addition of about three leaves at the end, in 1680. Folio.

Of date 1685 we have Sir *William Dugdale's*
 " *Perfect Copy of all Summons of the Nobility to*
 " *Parliaments*," from 39 *Hen. III.* &c. extracted from public records. Folio.

" *A Catalogue of the Lord Chancellors and Lord*
 " *Keepers*," by Sir *William Dugdale* also, is printed with *Selden's Office of Lord Chancellor*. *Vide Selden*.

Furthermore, in the *Ashmolean Museum*, at Oxford, are deposited some curious MSS. of Sir *Wm. Dugdale*, chiefly consisting of copies of records relating to the History and Antiquities of England; vide *Catal. MSS. Ang.* Vol. I. 292; and see an

account of *Dugdale's* literary productions in *Athen. Oxon Fasti*, V. II.

DUKE.

The *Law of Charitable Uses* seems *first* to have been published by *George Duke*, Esq. in 1676, in small folio, with many cases in law, both ancient and modern; whereunto was added, the learned Reading of Sir *Francis Moore* upon the Statute 43 *Eliz.* concerning Charitable Uses, with the manner of proceeding in Chancery, &c. In the year 1805 a *second* edition of the same work was published, with the addition of the History and Law of Mortmain as established by 9 *Geo. II.* c. 36. the whole continued to the present time, by *Richard Whalley Bridgman*.

The Law of Charitable Uses as originally laid down by *George Duke*, Esq. is so clear and intelligible, and it has been so much illustrated by the Reading of Sir *Francis Moore* (to whose care and diligence the penning of the original Statute was entrusted by Parliament), that it was always considered as a standard authority upon this branch
of

of the law. It remained, however, neglected for more than a century, when it was revived and continued by the editor of the second edition, but with what degree of accuracy and attention he has performed his task it becomes not us to judge.

DURNFORD and EAST.

The Reports of Cases in B. R. from M. 26 to T. 40 *Geo.* III. were produced by the joint labors of *Charles Durnford, Esq.* and *Edward Hyde East, Esq.* who have met the general desire and convenience of the profession in the very speedy publication of the determinations of the Court at the close of each Term; in the execution of which, these gentlemen have acquired a great share of approbation, and the reputation of great attention, with as much accuracy as the very expeditious mode of publication will admit, having in general adopted the method of their immediate predecessors. These Reports have been twice printed, *first* in 1787 and 1800, in eight volumes folio; and *secondly* in 1794 and 1802, in eight volumes royal octavo.

The

The same laborious task has since been undertaken by Mr. *East* alone. *Vide post*, tit. *East*.

DYER.

The conciseness, perspicuity, and accuracy of Lord Chief Justice *Dyer*, render his Reports a valuable treasure to the profession, and the estimation of them is very much increased by the additions that were afterwards made of the marginal notes and references accompanying the edition in 1688, which are reputed to have been made by Lord Chief Justice *Treby*, and it was so said by *Buller*, J. in *Milward v. Thatcher*, 2 T. Rep. 84.

These *Reports* comprehend *Cases adjudged in the Reigns of Hen. VIII. Edw. VI. Q. Mary and Elizabeth*, and were originally written in French, in which language six editions were published, viz. annis 1585, 1592, 1601, 1621, and 1672; lately, however, they have been translated, with additional references to the latest books of authority, marginal abstracts of the points determined in each Case, and an entire new Index to the whole, by *John Vaillant*, Esq. to which a life of the author

is

is prefixed, from an original manuscript in the Library of the Inner Temple, three volumes octavo, 1794.

Dyer's MS. Reports are often quoted by Lord *Coke*, as being in his possession in the hand-writing of Lord *Dyer* (vide *Co. Lit.* 9. a. 58. b. 148. b. 2 *Inst.* 657); but they seem to be a different collection from that extant in print, as several of the Cases mentioned by Lord *Coke* are not to be found in the printed book, (Vide 3 *Inst.* 126. 127. 272. 4 *Inst.* 61.).

E A S T.

The Reports of *Edward Hyde East*, Esq. of Cases in B. R. were printed in six volumes royal octavo, in 1801 and 1805; they embrace the period from M. 41 to T. 45 *Geo.* III. and are a continuation of the joint undertaking of this author and *Charles Durnford*, Esq. They continue to be regularly published at the close of every Term, with equal credit to the author and advantage to the profession. *Vide etiam ante tit. Durnford and East.*

The

The Reports already in print and published, go down to Easter Term 47 *Geo.* III. forming seven complete volumes and three parts of the eighth volume.

ECCLESIASTICAL JURISDICTION AND POWER OF
THE CROWN.

On this important subject many tracts have been written; for some of them, see post, tit. *St. German*. In 1546 we find one by *Joan. de Bekinsau*, “*De supremo et absoluto Regis Imperio*,” printed in octavo by T. Berthelet. *Vide* Wood’s *Athen. Brit.* Vol. I. p. 98, first edition. We also find

“*The true Differens between the Regal Power and the Ecclesiastical Power*,” translated out of Latin, by *Henry Stafford*, dedicated to the Duke of *Somerset* by *Henry Lord Stafford*, which was printed by *W. Copland*, in 12mo. anno 1548.

The original of this treatise has been attributed by some to K. *Hen.* VIII. and by others to *Edward Fox*, Bishop of *Hereford*, vide I *Ames*, 354, 362.

362. In the same, and in the subsequent reigns, several other works on the same subject appeared, which being merely theological, and in support of the papal jurisdiction, are omitted. By Statute 5 *Eliz.* c. 1. the publication of all books written in defence of the Pope's Supremacy are prohibited.

Mr. *Hargrave* (in *Co. Lit.* 121, notis) has given an ample account of the authorities in the law books on this subject.

EDEN.

The principles of the Crown Law, as applicable to general policy and the dictates of humanity, are elegantly illustrated by *William Eden*, Esq. in his "*Principles of the Penal Law*;" the two first editions of which were printed in 1771; and the third, with additions, in royal octavo, anno 1775.

EGERTON.

The Reports of Sir *Thomas Egerton*, are quoted by Lord *Nottingham* in his *Notes on Co. Lit.* 290. a.

ELECTION LAW.

“ *A Political and Personal History of the Bo-*
 “ *roughs of Great Britain* (respecting the Right of
 “ Election), together with the Cinque Ports; to
 “ which is prefixed, an original Sketch of consti-
 “ tutional Rights from the earliest Period until
 “ the present Time, illustrated with Notes and Re-
 “ ferences,” was published in two volumes octavo,
 anno 1794, second edition. Vide etiam, “ *Clifford,*
 “ *Douglas, Fraser, Heywood, Luder, Orme, Peck-*
 “ *well, Potter, Simeon, Tomlins, and Troward.*”

ESPINASSE.

In the year 1789 *Isaac Espinasse*, Esq. first pub-
 lished his “ *Digest of the Law of Actions and*
 “ *Trials at Nisi Prius*,” and secondly in 1793.
Vide post tit. Nisi Prius Law.

And in the year 1796 Mr. *Espinasse* published
 “ *Reports of Cases argued and ruled at Nisi Prius*,
 “ from Easter Term 39 *Geo. III.* to Hilary Term
 “ 43 *Geo. III.*” four volumes royal octavo. These
 Reports have since been continued down to the
 end

end of the year 1804, and the last number printed was the first part of the fifth volume.

EQUITY CASES ABRIDGED.

The book which bears the title of "*General Abridgment of Cases in Equity* argued and adjudged in the High Court of Chancery, &c. with several Cases never before published, alphabetically digested under proper titles, and three tables," was published in folio, anno 1732, 1734, and 1739 (all the same); again in 1756, corrected, with several new Cases, and many additional references; and lastly in 1793, with very considerable additions, which are distinguished by italic characters. Mr. *Viner* (in 5 Ab. 408, tit. Consideration b. 17) has ascribed the original compilation of this work to Mr. *Pooley*, and (in 21 Ab. 489, tit. Trial, A. b. 10, in notis) Mr. *Viner* says, he inclines to think this is the work of a very ingenious gentleman deceased (probably Mr. *Pooley*), who, as he had heard, had the custody, if not the property, of the original Cases; and who, in his life-time, declared, he was the author of this Abridgment.

In 1756

In 1756 a supplemental or second part or volume of the "*General Abridgment of Cases in Equity*" was published, in folio, continuing the Cases to the then present time; and in 1769 it was republished, with a new Table of the principal matters, and many references. The compiler of this work is not known, neither is it so highly esteemed as the first, for *Kenyon* (M. R. in 2 Bro. Ch. Ca. 45) said, that though this book was not of the first authority, yet he must be guided by such Cases as stand in point there, particularly where they contain much sense and reason. These books are generally cited as *Eq. Ab.* or *Eq. Ca. Ab.*

EUNOMUS.

This scientific work would probably have been held in higher estimation had it been better known; but having been written before, and published after the Commentaries of Sir *William Blackstone*, its acknowledged merits have been obscured, though not totally eclipsed by the splendour of that great performance: it is, however, greatly valued, as having very much illustrated the principles of our laws and constitution, and given an instructive
and

and rational account of the several branches into which the practice of the law is divided, and as having recommended, with much learning, a liberal and enlarged method of study in that science, pointing out its necessary connexion with the other branches of literature. Mr. *Hargrave* has further observed, that this work treats incidentally of the character and authority of the several law writers, and more professedly on the origin and progress of the most important subjects and branches of the law, and their connexion with the history and constitution of England. *Co. Litt.* 157 (b.)

Eunomus, with an Essay on Dialogue, by *Edward Wynne*, Esq. has been twice printed, in four volumes octavo; *first* in 1774, and *secondly*, without any alteration, in 1785.

EVANS.

We meet with the name of *William David Evans*, Esq. who, we understand, is a Barrister at *Liverpool*, in the year 1795, as Editor of *Salkeld's Reports*.

Again, in 1803, as author of “*A General View of the Decisions of Lord Mansfield in Civil Cases* ;” in two volumes quarto.

And, in 1806, as Translator of M. *Pothier's*. “*Treatise on the Law of Obligations or Contracts*.”

EVER.

Sampson Ever, Esq. Serjeant at Law, was author of a book of very high authority, which was published under the title of “*Doctrina Placitandi*, “ or the Art and Science of Pleading ; shewing “ where, and in what Cases, and by what Persons, “ Pleas, as well real, as personal, or mixed, may be “ properly pleaded,” by *S. E. French*, 4to. Of this book it was said by Lord Chief Justice *Willes* in *White v. Willis*, 2 *Wils.* 88, that there is more learning in it than in any book he knew, and that it contained the substance of all the pleadings in the *Year Books*, and in Lord *Coke's Reports*.

In 1771, a translation of *Doctrina Placitandi* was included in “*The System of Pleading*” (then published in quarto), “with References and Ex-
“ tracts

“ tracts from the most approved Writers on that
 “ Subject, digested under proper Titles, with an
 “ Introduction explaining the different Terms
 “ made use of in the Proceedings of each respec-
 “ tive Court, by a Gentleman of the Middle Tem-
 “ ple.”

FARRESLEY.

See this author's Reports post, inter *Mod. Rep.*
 part 7.

FEARNE.

An *Essay on the Learning of Contingent Remainders and Executory Devises* was first published by Charles Fearne, Esq. anno 1772; secondly in 1773; and thirdly in 1776, in one volume octavo; fourthly, a second volume of *executory devises* only in 1795; and fifthly in 1801, two volumes octavo, from the author's last corrections. This is reputed to possess not only all the advantages that a work written upon a very important, comprehensive, and abstruse subject necessarily commands, but has exhibited convincing proof of the strength and acuteness of the author's intellectual powers, and affords an evidence of the advan-

tages to be derived from the application of a strict analytical method to the discussion of legal topics.

Mr. *Hargrave* says, (*Co. Lit.* 20 (b)) that this work is so very instructive on the dry and obscure subject of remainders and executory devises, that it cannot be too much recommended to the attention of the diligent Student.

Notwithstanding all the advantages which the science of the Law has derived from the labors of Mr. *Fearne*, yet still it must be allowed, that his valuable work in its original state, was rendered difficult of perusal, from the want of a more nice division of the subject matter. This defect however has been cured by the discriminating and industrious pen of *Charles Butler*, Esq. whose edition of Mr. *Fearne*'s enlightened essay, (now in the press) will prove an invaluable acquisition to the profession.

Mr. *Fearne* has also published an historical lexicographical Chart of landed Property in England, from the time of the Saxons to the present æra, displaying at one view, (by means of lines and coloured

coloured columns) the tenures, mode of descent and power of alienation of lands in England, at all times during the said period. This chart was *first* engraved and printed in 1769, and *secondly* in 1791, which second impression is only a republication of the author's very ingenious outline of the law of landed property in England, with the addition of his own references to later authorities.

In 1795, in one volume octavo, the posthumous works of Mr. *Fearne* were printed, consisting of a Reading on the statute of inrolment, Arguments on the singular case of *General Stanwix*, and a collection of Cases and opinions.

FET ASSAVOIR.

The small Tract, which commences with these words, is a Collection of notes relating to proceedings in actions. It is said to have been composed about the same time with *Fleta*, at the end of which, the only copies that there are of it are very judiciously printed without any mark of distinction, it is however distinguishable by being written in old French, and *Fleta* being written in Latin.

FILMER.

“ *The Freeholders grand Inquest touching our Sovereign Lord the King and his Parliament,*” was first published in quarto, (as it seems) in 1647, and was reprinted in octavo, anno 1679, 1680, with *Observations upon Forms of Government*, by Sir *Robert Filmer*. This learned and loyal discourse, to assert the King’s Supreme Power to Parliament, was published in the latter end of 1647, when the author died; and though his name does not appear on the title page, it is well known among the curious to have been written by Sir *Robert Holbourne*, who was a Counsellor of Lincoln’s Inn and Doctor of the Civil Law, the Prince’s Attorney, one of his Majesty’s Privy Council, M. P. for St. Michael Cornwall, and author of some other pieces in the Law. Vide post, tit. *Holbourne*.

FITZ-GIBBON.

The “ *Reports*” of *John Fitz-gibbon*, Esq. contain some “ *Cases in the Courts of King’s Bench*” “ *Chancery, Common Pleas, and Exchequer*, during
“ the

" the first five years of King *George II.* only," and were printed in 1732.

Lord *Hardwicke* said that *Fitz-gibbon's Reports* is a book of no authority, but that the case of *Holt v. Ward*, is well reported. *Vide Harrey v. Ashley*, 3 Atk. 610.

FITZ-HERBERT.

The most esteemed edition of the Serjeant's Grand Abridgement, appears to be that printed in folio by *R. Pinson*, in 1516, with additions to the first part under title *Residuum*. *Vide Hale's Hist. Plac. Coron.* 57, tit. *Coron.* 329. *Ames* also mentions an edition by *Wynken de Worde*, in 1516; and dates *Pinson's* edition, 1514. *Ames* 154, 260. In *R. Tottel's* edition 1565, the titles of the *Residuum* are transferred to their proper heads in the first part.

In another edition printed by *Tottel* in 1577, with an additional general table by *J. Rastell*, the heads or titles are not arranged strictly in alphabetical order, but they are readily found by

the tables at the beginning of each volume, which refer to the pages in the Abridgement. *Worral*.

In the *Bishop of Chichester's Case*, Godb. 235, *Fitzherbert's Abridgement* containing the 'Cases down to 21 *Henry VII.* was held of the highest authority as an original Law Record, and it was produced and admitted in that cause as good evidence, to prove the custom of a manor in 14 *Edward III.* *Vide tit. Barre 277.*

It is also to be considered as one of our most antient and authentic legal records, as it contains a great number of original authorities quoted by different authors, which are not extant in the Year Books, or elsewhere to be found in print. *Cases of Process into Wales*, Vaugh. 403. *Lamply v. Thomas*, 1 Wils. 196. *Blackstone's Introduction to Magna Charta*, Chap. LX. who cites *Mortdauncester*, pl. 53. which establishes a circumstance respecting that Charter, not generally known, besides a number of Cases determined by the Judges in their *Iters* through the Kingdom. And in some instances it mentions particulars which are not
noticed

noticed in the Cases recorded more at large in the Year Books, *ex. gra.* H. 35. H. 6. 52. and *Fitzh.* tit. *Gard.* 71. in which last case it was said *p. tot. Cur.* that *Bracton* was never held as authority in our Law. V. *Seld. Diss. to Fleta*, c. 1. s. 2. And it is also observable that in some Cases it is more correct than the Year Book. V. *Custom*, 4.—5. *Edward* 4. 8. in which last case the negative word *nemy* is omitted. Besides these peculiar advantages it has the additional one of being a very copious and useful common place book, or index to the most ancient collection of the determinations in our Courts generally intitled the Year Books.

To the same learned author (Sir *Anthony Fitzherbert*, who was a Judge in C. B. temp. *Henry VIII.*) we are indebted for a very valuable work entitled “*Natura Brevium*,” the ninth edition of which was published in 1794, as we shall particularly shew *post*, sub tit. “*Natura Brevium*.”

We have also to thank the same learned Judge for his “*Boke of Justices of the Peace*, shewing “their office and authority,” which was translated
out

out of French, into English, and printed by *Robert Redman*, in octavo 1538, by *Elizabeth Pykeringe* (late his widow) in 1541, by *W. Powell* in 1546, cum privilegio in 1554, by *E. Pickering* again in 1557, and by *Richard Tottel* in 1566. There were also four editions printed afterwards in quarto, which differ in the paging, and want 22 pages that were in the former editions; the *first* of these was enlarged by *Crompton* with a table of the principal matters by *William West*, and was printed by *R. Tottel* in 1583; again in 1584; again in 1593, and by *C. Yetsweirt* in 1594.

Two more editions have also been published in quarto, anno 1606 and 1617, enlarged by *Richard Crompton* with the Office of Sheriffs, Bailiffs, Escheators, Constables, Coroners, &c.

We also find in print by Berthelet, anno 1539, Sir *Anthony Fitzherbert's* "*Reading on the Stat. 4 Edw. I. de extenta Manerii.*"

FLETA,

SEU

Commentarius Juris Anglicani,

Is a general Treatise of the Law in the method of *Bracton*, but it appears to have been the author's design to give a more concise account of the Law with the alterations that had taken place, down to his own time, which seems to have been not much later than 13 *Edward I.* (Vide *Seld. Dissert. C. 10. s. 2.*). The title, as the author informs his reader, was adopted from the circumstance of the book having been composed while he was a prisoner in the *Fleet*, a further account of which may be seen in *Nich. Eng. Hist. lib. 225*, edit. 1714, and *Reeve's Hist. Eng. Law*, vol. I. 279.

Fleta's Commentary seems to have passed through two editions only, each having a small Treatise called *Fet assavoir* annexed, and Mr. *Selden's* Dissertation. The *first* was published in Latin 1647, and the *second* in 1685, quarto. Vide *Fet assavoir*.

The

The original publication of this work was from a very ancient MS. discovered by Mr. *Selden* in the Cottonian Library, (being the only one then known to be extant) and having been copied by an unskilful amanuensis, it was afterwards compared with the MS. by Mr. *Selden*, who republished it in 1685, with many hundred corrections, yet still it is considered as very incorrect and imperfect. *Vide etiam tit. Selden.*

FONBLANQUE.

“ *A Treatise of Equity*,” by John Fonblanque, Esq. was first printed in one volume octavo about the year 1794.

The second edition of this very useful and valuable work was printed in two volumes octavo, anno 1799, and the third with marginal notes and references in 1805.

This Treatise is considered to be a republication of a “ *Treatise in Equity*” published in 1737, supposed to be written by Mr. *Balloe*, with the addition of copious notes and comments by Mr. *Fonblanque*.

FOLEY.

FOLEY.

The “*Reports*” of *Robert Foley*, Esq. consist only “*of adjudged Cases on the Laws of the Poor,*” from 43 *Eliz.* to 3 *Geo.* II.; they were printed in octavo, in the years 1739, 1743, 1751, and 1758.

FORD's MS. REPORTS.

These Reports are sometimes quoted by those who have been favored with a sight of them by the author's son, *Randle Ford*, Esq. of Lincoln's Inn. They are said to contain more full and complete Reports of Cases, than any of those extant in *Strange*. V. *Dougl. on Elect.* III. 132, 142, in notis. *Hargrave's Tracts*, 456, 468.

FORREST.

The “*Reports*” of *Robert Forrest*, Esq. “*of Cases argued and determined in the Court of Exchequer*, in 41 *George* III.” form only part of a volume, the further progress of it having
ceased

ceased upon the author's going to India. It was printed anno 1802, in octavo.

FORRESTER.

Lord Bathurst in *Daw v. Lord Chatham*, said that in the Report of the Cases in the time of Lord Talbot, they were taken by Mr. Forrester so far as page 217, but no farther.

FORTESCUE, Sir John.

The Treatise of Sir John Fortescue "*De Laudibus Legum Angliæ*," seems to have been first printed by *Edward Whitchurch*, early in the reign of *Henry VIII.* but without date, in 16mo.

In 1516 it was translated by *Robert Mulcaster* and printed by *R. Tottel*, and again in 1567, 1573 and 1575. Also by *Thomas White*, in 1598, 1599 and 1609. *Fortescue* with *Hengham*, were likewise printed in 1616 and 1660, 12mo. and again with *Selden's* notes in 12mo. anno 1672.

In 1737, *Fortescue de Laudibus* &c. was printed
in

in folio; and lastly in 1775 an English Translation with the original Latin, was published in octavo, illustrated with notes by Mr. *Selden*, and a great variety of remarks relative to the History, Antiquities, and Laws of England, with a large Historical Preface by *F. Gregor*, Esq. also testimonies of *Bale*, *Pits*, and *Du Fresne*, the sums of Sir *Ralph de Hengham*, Mr. *Selden*'s notes and a copious Index. V. post, *Waterhouse*.

Sir *John Fortescue* (then Lord Chancellor) is said also to have drawn up the statute 28 *Henry VI.* "of Resumption of certain Grants of the "Crown," which though much relied upon by the writers on that subject, is not extant in any present edition of the statutes.

FORTESCUE, Lord.

Sir *John Fortescue* was author of "*The Difference between an absolute and limited Monarchy, as it more particularly regards the English Constitution*," to which is prefixed a learned preface concerning the Laws of England, with remarks and an Index, by *Fortescue Aland*, Esq. F. R. S.

octavo

octavo, *first* printed in 1714, and *secondly* in 1719.

Lord *Fortescue* also (when Sir *John*) published
“ Reports of select Cases in all the Courts of West-
“ minster Hall, temp. *Will. III.* and *Anne*, also the
“ Opinion of all the Judges of England, relating to
“ the grandest Prerogative of the Royal Family, and
“ some Observations relating to the Prerogative of
“ a Queen Consort,” to which is added a learned
preface concerning the Laws of England, which is
likewise prefixed to *Fortescue on Monarchy*, folio,
anno 1748.

FOSTER.

The Doctrines of our Criminal Law are very
learnedly discussed by Sir *Michael Foster*, in his
Report of the Proceedings on the Commission for
the Trial of the Rebels in 1746, and other Crown
Cases. The *first* edition of these Reports was
published in folio, anno 1763. The *second* in
octavo, in 1776, to which was added some Discourses
on several Branches of the Crown Law, with notes
and references by *Michael Dodson*, Esq. his ne-
pew

phew; and the *third*, with a few Discourses on High Treason, on Homicide, on Accomplices, and some Observations on the writings of Lord *Hale*, and an Appendix containing Sir *Michael Foster*'s Opinion on several difficult and important Cases, published in royal octavo, anno 1792, by the same Mr. *Dodson*.

Sir *Michael Foster* was a Judge of the Court of King's Bench, and to him is attributed the "*Codex Juris Ecclesiastici Anglicani*," which was answered in a pamphlet published in octavo, anno 1736, intitled "An Examination of the Scheme of Church Power laid down in the *Codex Juris Ecclesiastici Anglicani*," above mentioned.

FRASER.

Simon Fraser, Esq. was author of "*Reports of Proceedings before select Committees of the House of Commons, in Cases of Controverted Elections*, heard and determined in the first and second Sessions of the 17th Parliament of Great Britain," which were published in two volumes, octavo, 1791, 1793.

FREEMAN.

Richard Freeman was Lord Chancellor of Ireland in 5 *Ann.* and by him were written, “*Reports of Cases in Law and Equity, from 1670 to 1706:*” they were revised and published by *Thomas Dixon*, Esq. in 1742. Folio.

Lord *Mansfield*, in *Rex v. Genge*, Cowp. 15, said some of *Freeman’s* Cases were very well reported; and in *Burn v. Burn*, 3 Ves. jun. 580, Sir *John Mitford* (Solicitor General) observed, that Mr. *Freeman’s* notes, though not of much reputation, were better than they were supposed to be, and that the character they had, arose from their being stolen by a servant and published without the privity of the Family. Lord *Loughborough* said they were generally good, and that Lord *Mansfield* had made favorable mention of them.

FULBECK.

In 1602, “*A Parallel of the Civil, Canon and Common Law,*” with “*the Pandects or Law of Nations,*”

“ *Nations*,” was published by *William Fulbeck*, in quarto, and it was again printed in 1618.

In 1620, was published Mr. *Fulbeck*’s “ *Direction or Preparative to the Study of the Law*, wherein
“ is shewed what things ought to be observed,
“ and what ought to be eschewed and avoided.”
Octavo.

GIBSON.

The learned Sir *William Blackstone*, in his Commentaries, (B. I. c. 11.) recommends to our perusal, the “ *Codex Juris Ecclesiastici Anglicana*,” of *Edmund Gibson*, which treats of Statutes, Constitutions, Canons, Rubricks and Articles of the Church of England, methodically digested under proper heads, with a Commentary Historical and Juridical, and Introductory Discourse concerning the present state of the power, discipline and laws of the Church of England, and an Appendix of Instruments antient and modern. Two volumes folio, anno 1713: *second* edition enlarged anno 1761.

GILBERT.

It was the fate of this learned *Lord Chief Baron* to quit his earthly seat, before many of his numerous works were sent to the press, consequently the most liberal allowance should be made for inaccuracies in the text. Sir *Jeffrey Gilbert*, Lord Chief Baron of the Exchequer, died in 1726, and the first of his works which we find in print is his "*Law of Devises, last Wills and Revocations*," which was published in 1730, octavo; again in 1756: and again with choice precedents of last wills, revised, corrected and improved in 1773.

In 1734 we find three of the learned Judge's works in print, viz. "*The Law of Uses and Trusts*," collected and digested in proper order from the "*Books of Reports*, together with a Treatise of "*Dower*," octavo, which was reprinted in 1741. *The Law and Practice of Ejectments*, which was reprinted in 1741, octavo; and again in 1781, with Select Precedents of Pleas, Special Verdicts, Judgments, Executions and Proceedings in Error, and other additions by *Charles Runnington*, Esq. and
Reports

“ *Reports of Cases in Equity and Exchequer*, from
“ 4 *Queen Anne*, to 12 *Geo. I.* to which are added
“ some select Cases in Equity in the Court of
“ Exchequer in Ireland,” which was reprinted in
1742, with many additional notes, and references.
Folio.

About the same period we suppose *Gilbert's*
“ *Law and Practice of Distresses and Replevins*,” to
have been first printed, for in *Cutfield v. Coney*, M.
1759. 2 Wils. 83. the Court grounded their Judgment on its authority.

In this book the whole law of this subject is
considered, with many references to the best au-
thorities; and in 1780, a *second* edition of it was
published, with an Appendix of English Precedents
in Replevin, octavo; since which, viz. in 1794, a
third edition has been published in octavo, by
William Hunt, Esq. with considerable additions
taken from former and later Reports, and other
books of authority, and full practical directions
from the seizure of the distress, to the Sale and
suing a Replevin.

In 1737 *Gilbert's "History and Practice of Civil Actions in the Common Pleas*, being an Historical Account of the parts and order of Judicial Proceedings," was published in octavo, with an Introduction on the Constitution of England. This was reprinted in 1761, and again with new notes and references, in 1779. Sir *William Blackstone* (Comm. B. III. c. 18) very highly recommends this work to the perusal of the Student, as having traced out the reason of many parts of our modern practice, from the feudal Institutions and the primitive Construction of our Courts, in the clearest manner.

In 1738 *Gilbert's "Treatise of the Court of Exchequer*," was partly printed in octavo, under the title of "*an Historical View of the Practice of the Exchequer*," but it was completely printed in 1753, octavo, and in it the Revenues of the Crown and the manner of receiving and accounting for the several Branches of them, &c. are clearly laid down.

In 1757 we find a *third* edition of *Gilbert's "Treatise of Tenures*," printed in octavo, containing

taining—1. the Original, Nature, Use, and Effect of Feudal or Common Law Tenures; and 2. Customary and Copy-hold Tenures, Customs, Duty to their Lords, &c. which book is quoted by Sir *William Blackstone* with great approbation. V. Comm. B. III. c. 10. Vide *Watkins* on Tenures, which purports to be a new edition of this work.

1758, *Gilbert's "Treatise of Rents,"* was published in octavo; and in the same year his "*History and Practice of the High Court of Chancery*" was printed in octavo, from a correct MS. copy, and free from the errors of the Irish edition.

In 1760, *Gilbert's Cases in Law and Equity,*" were printed with two Treatises, one on the Action of Debt, and the other on the Constitution of England. Octavo.

In 1763, "*The Law of Executions with the History and Practice of the Court of King's Bench and some Cases, touching Wills of Lands and Goods,*" by Lord C. B. *Gilbert*, were published in octavo.

Gilbert's "Theory or Law of Evidence" is a book of very high authority, and is mentioned as such by Sir *William Blackstone*, (Comm. B. III. c. 23.) we find it published in 1761, in octavo; again with additions and a complete table in 1777, which is called the *fourth* edition; again in 1791, 1792 and 1796, considerably enlarged (in four volumes, royal octavo) by *Capel Lofft*, Esq. to which is prefixed some account of the author; his abstract of *Locke's* Essay, and his argument in a case of Homicide in Ireland; and *lastly* we find the first volume reprinted in 1801, with notes and references to cotemporary writers, and later cases by *J. Sedgwick*, Esq.

Furthermore, we take occasion to notice two other works, of Lord Chief Baron *Gilbert*, which do not appear to be any where extant in print, but which are in MS. in the possession of *Francis Hargrave*, Esq. The one, viz. "*History of the Feud*," is mentioned by the learned author in his Introduction to the "*History and Practice of the Common Pleas*," and the other, viz. "*A Treatise of Remainders*," is ascribed to the Lord Chief Baron, principally on the ground of the method employed

employed in treating the subject, which conjecture is further supported on comparing it with the Treatise on the same title, in *Bacon's Abridgment*, (the Compiler of which is generally reputed to have had the use of the Chief Baron's collections) and in which it appears, that the same sub-divisions and generally the same words are adopted, as it seems, from this work in like manner, as with respect to several other works, of the learned Judge.

GLANVIL, Ranulf.

Mr. *Madox*, in his History of the Exchequer page 123, informs us that *Ranulf de Glanvil*, (a Lawyer and Justiciar, regn. *Hen. II.*) drew up a Compendium of the Laws of England, fitted for public use, which he probably did at the King's Command, that it might serve as a code or system for such as dealt in law proceedings. The King's Command on this occasion is conjectured from an ill-written MS. in Corp. Ch. Col. Camb. entitled *Leges Hen. II.* which in many passages is the same with the printed copy of *Glanvil de Legibus*. In a note to *Madox, Exch.* it is said that this system
of

of *Glanvil* is in effect nothing but a transcript of the Norman Law.

Plowden (Com. 357) says that *Glanvil* and *Bracton* were not authors in our Law, but only cited as ornaments to discourse where they agree with the Law; but perhaps the observation of Mr. Just. *Fortescue Aland* (in *Fortesc.* 419) may be applied with as much reason to *Glanvil*'s works as to those of *Bracton* and *Fleta*.

"*Glanvil de Legibus*," was printed in 1554, 1557, 1604 and 1673; and in 1780 "*A Treatise of the Laws and Customs of England*," written by *Ranulf Glanvil* in the time of *Henry II.* was collated by *John Wilmot*, Esq. one of the Masters in Chancery with the MSS. in the *Harleian*, *Cottonian*, *Bodleian*, and Dr. *Mille's* Libraries, and printed in Latin 12mo.

GLANVILLE, John.

Of the name of *John Glanville* we find a learned Serjeant at Law, and Speaker of the House of Commons, temp. *Car. I.* whose "*Reports of Cases*
" of

“ *of Controverted Elections determined and adjudged in Parliament, 21 and 22 Jac. I.*” were published in 1775, by *John Topham, Esq.* of Lincoln’s Inn; to which is prefixed, an historical Account of the antient Rights of determining Cases upon Controverted Elections. Octavo.

GODBOLT.

The “ *Reports*” of *John Godbolt, Esq.* consist “ *of certain Cases arising in the Courts of Record, in the Reigns of Q. Elizabeth, K. James, and K. Charles,*” and were published by *William Hughes*, in quarto, anno 1652 or 1653.

GOULDSBOROUGH.

John Gouldsborough reported “ *Choice Cases in all the Courts at Westminster, from the 28 to the 43 Eliz. with Notes, &c. by W. S.*” quarto. First or second edition the same, annis 1658, 1682.

GROTIUS.

“ *The Rights of War and Peace,*” in three books, by *Hugo Grotius*, were translated by *William Evats, B. D.* and published in folio, anno 1682; again in three volumes octavo, anno 1715;
and

and lastly in folio, anno 1738, with all the large notes of *Barbeyrac*.

GROUNDS AND RUDIMENTS OF LAW AND EQUITY.

We cannot omit to notice this useful and valuable book, though it has been anonymously published; it is alphabetically digested, and contains a collection of rules and maxims, with the doctrine upon them, illustrated by various Cases extracted from the books and records, to evince that these principles have been the foundation upon which the judges and sages of the law have built their solemn resolutions and determinations. It was written by a Gentleman of the Middle Temple, and published in folio, *first* in 1749, and *secondly* in 1751, being the same.

GWILLIM.

In 1801, Sir *Henry Gwillim* published, in four volumes royal octavo, “ *A Treatise on the Law of Tithes*, including a Collection of all the Cases determined in the several Courts of Law upon the subject of Tithes, and many Cases not before published.”

HAKEWELL.

HAKEWELL.

In 1641 was published, in quarto, “ *An Argument in Parliament on the Liberty of the Subject against Impositions*, by *William Hakewell, Esq.*” but that tract having become very scarce, it was inserted, with Remarks, by Mr. *Hargrave*, in *State Trials*, vol. xi. 36.

In the same year Mr. *Hakewell* published, in 12mo. “ *The Manner how Statutes are enacted in Parliament, by passing Bills, with a Catalogue of the Speakers.*”

And in 1660, the same author published, in 12mo. his “ *Modus tenendi Parliamentum*, or the old Manner of holding Parliaments in England, extracted out of our ancient Records, together with the Privilege of Parliament, to which was added, the manner of passing Bills, &c.” This work was reprinted in 1671.

Mr. *Hakewell* also published a tract on the “ *Antiquity of the Laws of this Island*,” which
with

with another of the same title is to be found among *Hearne's Curious Discourses*.

Mr. *Hakewell* likewise wrote a tract on *Aurum Reginae*, which is quoted by *Prynne* in his *Aurum Reginae*, p. 123, where the Preface and Chapters are recited under the title of a "Treatise upon the
" Nature of *Aurum Reginae*, containing the Tran-
" script of divers Rolls produced in proof of se-
" veral Points thereof, to be viewed by his Most
" Excellent Majesty, collected and disposed un-
" der certain divisions," MS. 1605. The first part of this treatise is extant among *Glynne's MS.* Vide *Catal. MSS. Angl.* V. 2. n. 1945.

H. i L E.

Numerous are the writings of the great and learned Sir *Matthew Hale*, but as we are confined by our limits we can only notice his Law Tracts, few of which were published in his life-time.

In 1650 was printed "*London Liberty*, or an
" Argument of Law and Reason," which was
reprinted in 1682, under the title of "*London's*
" *Liberties*,

“ *Liberties*, or the Opinions of those great Lawyers
“ Lord Chief Justice *Hale*, Mr. Justice *Wild*, and
“ Serjeant *Maynard*, about the Election of Mayor,
“ Sheriffs, Aldermen, and Common Council of
“ London, and concerning their Charter.”

And in 1668 Sir *Matthew Hale* wrote a *Preface to Rolle's Abridgment*, which he published with the whole of that work.

In 1675 he died, and after his death were published,

“ *Pleas of the Crown*, or a Methodical Summary,” in octavo, printed first in 1678, and afterwards continued by *Jacob*, and reprinted in 1716. To this edition is often added, *The Treatise of Sheriffs Accounts; The Trial of the Witches*, and the Provision for the Poor; the latter of which was first published in 1683, and afterwards reprinted with the author's Religious Discourses. This Summary has in all passed through seven editions, the last of which was published in octavo, anno 1773, with many additions, new references, and an improved Table to the whole.—

It

It was not however considered by the author as a complete work, but intended by him as a plan only for his *Historia Placitorum Coronæ*, which was ordered to be printed in the year 1680, by the House of Commons, but never done, nor was that work published till 1736, as we shall hereafter shew.

In 1683 we find in print “ *A Treatise touching Sheriff’s Accounts,*” which was reprinted in 1716, together with the author’s *Provision for the Poor* (before mentioned), and *Trial of the Witches*, at Bury St. Edmund’s, on the 10th of March, 1664; which last has ever been considered as the most culpable act of the author’s life. These three tracts are usually bound with the octavo edition of the *Pleas of the Crown*, printed in 1716, and before noticed.

In 1694 was published the author’s “ *Treatise shewing how useful, safe, reasonable, and beneficial the Inrolling and Registering of all Conveyances of Land may be to the Inhabitants of this Kingdom,*” quarto, which was reprinted in octavo, in 1756, and to which was prefixed, the

Draft

Draft of an Act for a County Register, by the Lords Commissioners *Whitlock* and *Lisle, Lane, C. Bar. &c.* and is intitled, “ *Two Tracts on the Benefit of Registering Deeds, &c.*”

In 1700 we find (*Tractatus*) “ *de Successionibus apud Anglos*, or a Treatise of Hereditary Descents,” which was reprinted in 1735, in octavo, without any other alteration than a new title-page. This tract is also printed as ch. xi of the learned author’s *History of the Common Law*.

In 1707 “ *A Treatise on the original Institution, Power, and Jurisdiction of Parliaments, with a Declaration of the House of Lords concerning their Privileges*,” appeared, printed in octavo. Vide etiam, *Harl. MSS.* n. 1698.—This work was afterwards republished by *Francis Hargrave, Esq.* in quarto, anno 1796, under the title of “ *Hale’s Jurisdiction of the House of Lords, with an Introductory Preface, including a Narrative of the same Jurisdiction from the Accession of Jac. I.*”

The next production from the pen of our learned

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author appears to have to have been his “ *Analysis of the Law*, being a Scheme or Abstracts of the “ several Titles and Partitions of the Law of “ England, digested into method,” printed in octavo, without date. This tract however seems to have been only a design for an

“ *History of the Common Law of England in* “ twelve Chapters, with an Analysis of the Law,” (as before mentioned) published in octavo, anno 1713. *Again*, with a table to the Analysis in 1716. *Thirdly* in 1739, octavo ; *fourthly*, with notes and references, in 1779, and some account of the author by *Charles Runnington*, Esq. royal octavo ; and *fifthly*, with considerable additions, notes and references by Mr. Serjeant *Runnington*, in 1794, two volumes octavo. This work, however, is considered but as an imperfect sketch, of what was probably intended by the learned author, yet the first nine Chapters of this History contain much original information, concerning our antient Laws, and the Records in which they are preserved.

We next find in print from the pen of the same learned Judge, his

Historia

“ *Historia Placitorum Coronæ*, or the History of “ the Pleas of the Crown,” which was first published in 1739, from the author’s own manuscript, with notes by *Sollom Emlyn*, Esq. in two volumes folio; *secondly* in 1778, with additional notes and references to modern Cases concerning the Pleas of the Crown, together with an abridgment of the statutes, which have been enacted since the first publication of this work, by *George Wilson*, Esq. in two volumes, royal octavo; and *thirdly* in 1800, with an abridgment of the Statutes relating to Felonies, continued to the then present time, with notes and references by *Thomas Dogherty*, Esq. in two volumes, royal octavo.

Besides the foregoing, we find mention is made by Mr. *Hargrave*, in his notes to *Co. Lit.* 70. b. of a MS. by Sir *M. Hale*, intituled *Jura Coronæ*.

Again we find *Two Arguments* by Sir *M. Hale*, printed in the Reports of Sir *Peyton Ventris*, published in 1696, 1701, 1716, and 1726.

We find also “ A Treatise by Lord *Hale* on the “ *Management of the King’s Revenue*,” printed in

1787, amongst the Hon. Mr. St. *John's* observations on the Land Revenue of the Crown. Quarto.

Likewise we find in print, amongst Mr. *Hargrave's* collection of Law Tracts, quarto, 1787, A Treatise by Lord C. J. *Hale*, in three parts, viz. *De Jure Maris et Brachiorum ejusdem. De Portibus Maris*, and *Concerning the Customs of Goods imported and exported. Also Considerations touching the Amendment or Alteration of Laws.* And also *A Discourse concerning the Courts of King's Bench and Common Pleas.*

Lastly, we find that Lord *Hale* had written sundry notes on *Co. Lit.* which were quoted by Lord Chief Baron *Gilbert*, in his Treatise on Tenures, and were cited in *Drury v. Drury*, in the Court of Chancery, and there relied upon, as of the very highest authority. (Vide 1 Bro. Ch. Ca. 252.) They are now published in *Hargrave* and *Butler's* edition of *Co. Lit.* having been communicated by Lord *Hardwicke* to Mr. *Hargrave*, from a copy by the late Mr. *C. Yorke*, from the originals in the hand writing of Lord *Hale*, in a copy of *Co. Lit.* presented by him to the father of *Philips Gybbon*, Esq.

In *Lincoln's Inn* Library, there are several Manuscripts which were bequeathed to that Honorable Society, by Lord *Hale*, and which he considered as a great treasure, having been forty years in collecting them at a considerable expence, wherefore he has given particular directions for their preservation. They consist of a large and valuable collection of Law and Parliamentary Records; Antient Writings and Treatises of Law; but they do not seem to include any works of his own composition, except his common-place book. For a Catalogue of these MSS. *vide Catal. MSS. Angl.* v. II. 179. and *Lane's Linc. Inn. Guide*, p. 46. 2 ed.

HARDRES.

The "*Reports*" of Sir *Thomas Hardres*, "*of Cases in the Court of Exchequer*, from the year 1655 to 1660, and from thence continued to 21 "*Car. II.*" were published in folio, anno 1693, but there is a chasm in the paging, from 232 to 301.

HARGRAVE.

If the professors of the Law are not greatly indebted to *Francis Hargrave*, Esq. for his profound knowledge of that liberal Science, for his unwearied diligence in composing his works with accuracy and attention, and his readiness to hand down a portion of that knowledge to posterity, it is hard to say to whom they can pay any tribute at all. The boldness with which he entered upon the great undertaking of annotating the Commentaries of Lord *Coke* on the Tenures of *Littleton* demands our thanks. The discrimination with which he arranged his materials, is an evidence of his learning and judgement, and the zeal with which he pursued his task for near ten years is an incontestable proof of his patience. His labors however would have fallen short of his own and the public wishes, had not Mr. *Butler* with equal veneration and solicitude compleated the whole, and conducted this prodigious pile of human sagacity and learning to the press, for future ages to read and admire.

To

To Mr. *Hargrave* we also owe the publication of *a Collection of Tracts relative to the Law of England*, from MSS. never before printed, in eleven parts.

1. A Treatise in three parts *De Jure Maris et Brachiorum ejusdem; De Portibus Maris*, and concerning the customs of goods exported and imported. *By Lord C. J. Hale.*

2. Consideration touching the Amendment or Alteration of the Laws. *By the same.*

3. A Treatise of Maisters of the Chauncerie.

4. Two pieces touching suits in Chancery by *Subpæna.*

5. A Discourse concerning the Courts of King's Bench and Common Pleas. *By Lord C. J. Hale.*

6. A Discourse concerning the Jurisdiction of the King's Bench, by Process of *Latitat.*

7. The Abuses and Remedies of Chancerie, *By* Mr. *George Norburie*.

8. Concerning the Effects of Sentences of the Courts Ecclesiastical in Cases of Marriage, when pleaded or offered in evidence in the Courts Temporal. *By Francis Hargrave, Esq.*

9. An Argument in the Exchequer Chamber, on giving Judgment in the case of *Perrin v. Blake*. *By the Hon. Mr. Just. Blackstone*, printed from his own MSS.

10. An argument by *Francis Hargrave, Esq.* on the appeal from Chancery in *Wicker and Boughton v. Mitford*, delivered at the Bar of the House of Lords. And

11. Observations concerning the rule in *Shelly's* Case—"That the heirs of the body or other inheritable words, after an Estate for Life, shall operate as words of Limitation and not of Purchase," chiefly with a view to the application of that rule to last Wills. *By Francis Hargrave, Esq.*

To this collection a Preface is prefixed, containing an account of the Tracts above mentioned, and observations concerning them; quarto, 1787.

Mr. *Hargrave* has also published some others of his arguments, viz.

An Argument on Slavery, in the case of *James Somerset*, a Negro, determined in Cur. B. R. octavo, 1772; this is also printed in St. Tr. vol. IX. 339. Arguments in defence of Literary Property, octavo, 1774. Likewise his *Juridical Arguments and Collections*, in which are included three arguments in the two Causes in Chancery, on the last will of *Peter Thelluson*, Esq. with Mr. *Morgan's* calculation of the accumulations under the trusts of the will; two volumes quarto, printed in 1797 and 1799.

Furthermore Mr. *Hargrave's* Address to the Grand Jury at Liverpool, was published in octavo anno 1803.

We have also to remark that Mr. *Hargrave* in 1796, published an introductory preface to his
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own edition of Sir *Mathew Hale*'s "Treatise on
" the original Institution, Power and Jurisdiction
" of Parliaments," which we have already noticed
under tit. *Hale*.

HAWKINS.

The criminal Laws of England have been scientifically treated, and the knowledge and practice of them have been much promoted, by the learned and comprehensive work of *William Hawkins*, Esq. Serjeant at Law, entitled "*Treatise of the Pleas of the Crown, or a System of the Principal Matters relating to that subject, digested under proper heads, in two Books.*" This valuable Book passed through five editions in folio, in the years 1716, 1724, 1739, 1762 and 1771; but the *sixth* and *seventh* were corrected and enlightened under the editorship of *Thomas Leach*, Esq. whose mode of digesting the subject matter before him has considerably added to the value and utility of the original work. The learned editor has carefully collated the text with the original, corrected the marginal references, added new references from the modern Reports, inserted a variety of Manuscript

script Cases, and enlarged the whole by an incorporation of the several Statutes upon subjects of criminal Law, to 35 *Geo.* III. to which he has prefixed an explanatory preface, and subjoined a new and copious Index.

The *sixth* edition was published in two volumes royal octavo, anno 1787, and the *seventh* in four volumes royal octavo, anno 1795.

An *Abridgment* of the learned Serjeant's *Pleas of the Crown*, was published with a large Index, first in 1728, under the title of "*A Summary of the Crown Law*," and secondly in 1770, with an Appendix, containing the several offences by statute since the first publication, to 9 *Geo.* III.

Mr. Serjeant *Hawkins* also favored the profession with an abridgment of the first part of Lord *Coke's Institutes*, which has been quoted with much approbation by Sir *William Blackstone*, (Com. B. 3. c. 17.) and which has passed through several editions, viz. in 1714, 1718, 1725, 1736 and 1742, all of which are the same, except the last, which frequently wants the Index. To a subsequent
edition

edition in 1751, (12mo.) there are great additions, explaining many of the difficult cases, and shewing in what points the law has been altered by late resolutions and acts of Parliament, as also a large Index in nature of an analysis.

HENGHAM.

Sir *Ralph de Hengham* C. J. in B. R. 6 *Edward* I. is the reputed author of *Summa Magna & Parva*, which treats of the antient Forms of Pleadings in Essoins and Defaults, in which it is said, there are many remarkable forms and rules omitted by *Bracton*, and yet it is thought that a considerable share of the author's whole work is wanting, none of the copies found being perfect.

It is also said to have been translated into English, temp. *Edward* II. or III. but was published by Mr. *Selden*, in the original Latin, with some few notes of his own in English. V. *Nicholson's Eng. Hist. Lib.* 228, ed. 1714.

Sir *Ralph de Hengham* is also reputed to have
written

written two other tracts, entitled *Summa Judicandi* *Essonia* and *Summa quæ dicitur, Quid sit necessarium*, described by Bishop Tanner, in *MS. Norwic. More* 287. It is further said that he composed a Register of Writs, (*Dugd. Orig.* 56) which renders it probable that he might collect the original Writs, that had been long in use, which it is supposed are those now extant in the Collection entitled "*Registrum Brevium*," or "*Registrum Cancellariæ*," which is said by Lord Coke to be the most antient Book of the Law. *Pref. to 10 Rep.* 4 *Inst.* 140.

HETLEY.

The "*Reports*" of Sir Thomas Hetley "*of Cases taken in the 2, 3, 4, 5 and 7 years of the late King Charles*, argued by most of the King's Serjeants "*at the Common Pleas Bar*," were published in folio, anno 1657.

Sir Thomas Hetley is said to have been one of the persons appointed by Sir Francis Bacon, and Sir Julius Cæsar (with a salary of £100.) in the Reign of King Jac. I. to the office of reporter of
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the law. It is doubtful however, whether such an office ever existed, and if it did, the collection of Sir *Thomas Hetley*, printed in 1657, is far from bearing any marks of peculiar skill, information or authenticity.

HEYWOOD.

In 1790, *Samuel Heywood*, Esq. published in octavo, "*A Digest of the Law, concerning County Elections, containing the Duty and Authority of the High Sheriff, from the receiving of the Writ to the Return, and the Mode of Proceeding at County Elections, whether determined by the View, the Poll, or the Scrutiny, together with the Qualifications and personal and other Dis-qualifications of the Voters.*"

And in 1796, Mr. *Heywood* published a "*Treatise on Borough Elections,*" in two volumes, octavo.

HOBART.

HOBART.

The *Reports* of Sir *Henry Hobart* were first printed in quarto, in 1641, and afterwards they were reprinted in 1650, 1671, 1678 or 1683, with no other alteration than a new title.

These Reports are considered as a valuable addition to those of *Leonard* and *Yelverton*, more especially as they had the advantage of being republished under the care of Lord Chancellor *Nottingham*. The last edition was the *fifth* (ex. edit. Nott.) and with the addition of many thousand references by *Edward Chilton*, Esq. it was published in folio, anno 1724.

HOBBS.

This great controversial writer (*Thomas Hobbes*,) in the year 1650, published his “*Elements of the Law*,” in octavo.

And in 1681 his “*Dialogue between a Philosopher and a Student of the Common Laws of England*,” which was printed with his *Art of Rhetoric*.

Mr.

Mr. *Barrington*, in his *Obs. on Stat. of Treasons*, says, it appears by this dialogue, that this very acute writer has considered most of the fundamental principles of the English Law, and had read Sir *Edward Coke's Institutes*, with great care and attention.

Lord *Hale's Reflec. on Hobbes Dial.* are extant *int. Harl. MSS.* n. 711. and in Mr. *Hargrave's* Library.

HOLBOURNE.

This eminent character Sir *Robert Holbourne*, is well known to have been the author of "*The Freeholders Grand Inquest touching our Sovereign Lord the King and his Parliament*," which bears the name of Sir *Robert Filmer*. V. ante tit. "*Filmer*."

Sir *Robert Holbourne's* "*Readings on the Stat. of Treasons*," (25 *Edw.* III. c. 2.) were also published in 1642 and 1681.

HOOKE.

HOOKE.

The *Laws of Ecclesiastical Polity* written by *Richard Hooker*, D. D. have deservedly received the commendations of many great and learned men (*V. Wood's Athen. Oxon.*) They were originally published in four books folio, and printed by J. Windet, annis 1593 and 1594. B. 5. in quarto, being added in 1597, and B. 7. and 8. in 1648.

In 1617, the whole in eight books, with the author's life, and other works, was published in folio, in two volumes; again in 1662; again in 1676, and lastly in 1723, which is the best edition.

HORNE.

“ *The Mirror of Justices*” by some is attributed to *Andrew Horne*, but by others that fact is doubted, as we shall presently shew.

It was however translated into English by *William Hughes*, and published *first* in 1642, *secondly* in 1646, *thirdly* in 1649, in 12mo. and *fourthly* in

1768, in octavo, to which is added "The Diversity
" of Courts and their Jurisdiction."

The first edition of this work in 1642, was printed from an antient copy belonging to *Francis Tate Esq.* collated and examined with an old copy in *Bennet Col. Camb.*

Lord *Coke*, (in pref. to 9 and 10 Rep.) says that in this Mirror, you may perfectly and truly discern the whole body of the Common Laws of England, and further, the most of it was written long before the conquest, as by the same appeareth, and yet many things were added thereunto by *Horne*, a learned discreet man (as it is supposed) in the Reign of *Edward I.*: on the other hand *Horne* is reputed to be very little better than an Impostor, by the learned Doctor *Hickes* in his *Dissert. Epist. ad Thesaur. vet. Ling. Septent.* page 42. A modern writer however suggests a solution, which seems to reconcile the apparent inconsistencies of these opinions from the probability of the existence of a work of this title, as antient as the date supposed by Lord *Coke*, which *Horne* might incorporate, and model into the work now
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in our hands, with such additions thereto as he thought proper to make. It is observed that whatever claim to antiquity it may possess, a great part of it is certainly written since *Fleta* and *Britton*, and it is accordingly generally ascribed to the Reign of *Edward II.* Vide *Reeve's Hist. Eng. Law.* II. 358.

Some have imagined that the *Mirror of Justices* was composed by Mr. *Horne*, from an Old Law Tract, mentioned by *Dudgale* (in *Orig. Jurid.* c. 23.) called “*Speculum Justiciariorum*,” which is not now extant. But from whatsoever it may have been taken, it is found to treat generally of all branches of the Law of that time, civil and criminal, and it is, notwithstanding the above objections, a curious, interesting, and in a certain degree an authentic Tract upon our old Law.

With respect to the Title, though it may appear somewhat singular, yet Mr. *Barrington*, (*Obs.* 1. 4 ed.) gives a curious account of the remarkable coincidence of several nations of Europe, in adopting this title to their early Law Books.

Andrew Horne appears to have been a native of *Gloucester*, and is said to have compiled *Chronicon Glocestrie*, which is long since lost. He was Chamberlain of *London*, regn. *Edward II.* and compiled a book in the Town Clerks Office, entitled *Liber Horne*, which contains the Charters, Customs, Ordinances and Statutes, relating to the City, temp. *Hen. III.* and *Edw. I.* V. *Gough's Brit. Top.* I. 576.

A MS. copy of *Horne's Mirror* is in *Harl. MSS.* n. 4563, and another in *Hales's MSS.* n. 127.

HUTCHINSON.

The “ *Report of N. Hutchinson, Esq. of the*
 “ *proceedings of the first and second Trials of*
 “ *the Cause of Fisher v. Ward, Master of the*
 “ *Ship, Fishbourn, detained in Russia, during*
 “ *the Embargo on British Ships, with the opinion*
 “ *reserved for the Court of Common Pleas, re-*
 “ *specting the wages claimed by British Seamen*
 “ *during the time they were detained in Russia,*”
 was published in octavo, anno 1803.

HUTTON.

HUTTON.

The “*Reports*” of Sir *Richard Hutton*, containing many *Choice Cases in the reigns of King James and Charles I.*” were first published in 1656, and *secondly*, corrected with many additional references in 1682. Folio.

JACOB.

Few men have left behind them more ample testimonies of their industry than Mr. *Giles Jacob*; his publications have been very numerous.

In the year 1714 we find in print “*The Accomplished Conveyancer*, treating of the nature and kinds of all deeds and instruments used in conveying, and an abridgment of the law relating to all sorts of Conveyances, and also all manner of smaller precedents used in conveying;” this was reprinted in 1736 and 1750, three volumes octavo, the two latter editions being alike.

In the same year was published Mr. *Jacob’s*

“ *Clerk’s Remembrancer*, containing all sorts of
“ small and useful precedents, with proper directions
“ in conveyancing and the methods of practice in
“ King’s Bench and Common Pleas,” and a *second*
edition with additions was published in 1730.

In 1716, Mr. *Jacob* published his “ *Grand Pre-*
“ *cedent*, or the Conveyancer’s Guide and Assistant,
“ containing the several distinct parts of all man-
“ ner of instruments, writings, conveyances and
“ assurances, in one grand deed, not only in all
“ common matters, but on extraordinary occa-
sions.” Octavo.

In 1717, Mr. *Jacob* published “ *A Catalogue*
“ *of all Writs, and Processes of the Courts at*
“ *Westminster*,” in octavo.

In 1718, was published Mr. *Jacob’s* “ *Lex Mer-*
“ *catoria*, or the Merchants Companion,” contain-
ing all the Laws relating to Merchandize, which was
republished in 1729, in octavo.

In 1719 we find “ *The Laws of Appeals and*
“ *Murder*,” compiled by Mr. *Jacob* from the
MSS.

MSS. of Mr. *Gale*, an eminent practiser, octavo ;
and in the same year,

“ *Lex Constitutionis*, or the Gentleman’s Law,
“ being a complete Treatise of all the Laws and
“ Statutes relating to the King and Prerogative of
“ the Crown, Nobility, House of Lords and
“ Commons, &c. with the manner of passing bills
“ in both Houses,” octavo, reprinted in 1737, the
same.

In 1720 Mr. *Jacob* published his “ *Modern*
“ *Justice*, containing the Business of a Justice of
“ Peace, with Precedents;” this was reprinted in
1726 and again in 1729, with an Appendix; and in
the same year, was printed and reprinted, Mr.
Jacob’s “ *Review of the Statutes*, both antient and
“ modern, especially concerning the practic part
“ of the law; also a compleat Table, shewing in
“ what Statutes, Justices of the Peace are par-
“ ticularly concerned.”

In 1721 “ *A Treatise of the Laws*, or a General
“ Introduction to the Common, Civil and Canon
“ Law,” was published from the pen of Mr. *Jacob*

in three parts—1. The *Common Law* of England illustrated in a great variety of maxims, &c. 2. Of the *Civil Law* intermixed with the law of Nations, and its use in England, &c. and 3. The *Canon Law*, and Laws Ecclesiastical, containing the rights of the English Clergy, of Patrons of Churches, Courts Ecclesiastical, Trials, &c. Octavo.

In 1724, was *first* published Mr. Jacob's "*Com-pleat Court Keeper, or Land Steward's Assistant*," containing the nature of Courts Leet, and Courts Baron, &c. Precedents of Contracts, Conditions, Covenants, Leases, &c. The power of the Lord and the Steward, and the privilege of the Tenants, with a variety of Law Cases, concerning Copy-holders. Also Surveys of Manors, Rentals, Stewards Accounts, Fees, &c." This work was republished in 1740, 1752, and 1764, with the precedents in English, and lastly with large additions and amendments in 1781, octavo, which edition is called the *seventh*.

In 1725, Mr. Jacob furnished us with "*the Students Companion or Reason of the Law*," containing
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“ ing Readings on the Common and Statute Laws
“ of this Realm, alphabetically digested under
“ heads, clearing and illustrating in the said Read-
“ ings the most difficult points, not only in the
“ Statutes, but likewise in several hundred Cases
“ in Law and Equity.” A *second* edition enlarged
was published in 1734, and a *third*, the same, in
1743.

In 1726, Mr. *Jacob* first printed in octavo “ *The*
“ *Common Law Common-placed*, containing the
“ substance of all the Common Law Cases ;” a
second edition of which, in folio, was printed in
1733.

But it was reserved for the year 1729, to produce
the *Chef des Oeuvres* of Mr. *Giles Jacob*, compre-
hended in his “ *New Law Dictionary*, which con-
“ tains the Interpretation and Definition of Words
“ and Terms, used in the Law, as also the whole
“ Law and Practice thereof, under the proper heads
“ and titles, together with such Learning relating
“ thereto as explains the History and Antiquity of
“ the Law, &c.” A *second* edition of this very
valuable work was published in 1733; a *third* with
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the proceedings in English anno 1736; a *fourth* in 1739; a *fifth* in 1744; a *sixth* in 1750; a *seventh* in 1756; an *eighth* in 1762; a *ninth* and a *tenth* 1772 and 1782, with great additions and improvements by *Owen Ruffhead*, and *John Morgan*, Esqrs. all in folio; and an *eleventh*, in two volumes quarto, from the masterly hand of *Thomas Edlyne Tomlyns*, Esq. anno 1797, which is greatly enlarged and improved by many material corrections and additions from the latest statutes, Reports and other accurate publications, in the whole explaining the rise, progress and the present state of the English Law in theory and practice, defining and interpreting the terms and words of art, and comprising copious information, historical, political and commercial on the subjects of our Law, Trade, and Government. We understand that the same learned and indefatigable editor is about to indulge us with a *twelfth* edition revised, corrected, and continued with his accustomed accuracy.

“ *An Abridgment of the*” above mentioned
“ *New Law Dictionary,*” was published in 1743.

In 1730, was published in two volumes octavo, .

Mr.

Mr. *Jacob's* “*Compleat Chancery Practiser*, or the
“ whole Proceedings of the High Court of Chan-
“ cery, in a perfect new manner, containing
“ the rules and methods of practice therein, as well
“ in the Petty Bag Office as in all Suits in Equity,
“ and also precedents of bills, answers, pleas, and
“ demurrers, &c. shewing wherein relief may be
“ given in Equity, &c.”

In 1736, were published “*Tables to the Law*,”
(by Mr. *Giles Jacob*) containing: 1. A Table of
Descents. 2. Of Estates and Interest. 3. Of
property gained in Land by Conveyance. 4. Of
Offences against the Laws of Religion, &c. Folio.

In 1737, “*The Compleat Attorney's Practice*,
“ (in English) in the Courts of King's Bench
“ and Common Pleas” by Mr. *Jacob*, was printed
in two volumes, containing the best Rules and
Methods of Practice therein from the commence-
ment of the Action to the Execution, with forms
of Judicial Writs and Processes.

And in the same year was published Mr. *Jacob's*
“*City Libertie*, or the Rights and Privileges of
“ Freemen

“ Freemen of London, containing the liberties and
“ advantages of the Citizens, their Wives, Widows,
“ Orphans, &c. and the Laws, concerning wills,
“ administration and distribution of estates, &c.
“ also of binding forth apprentices and taking out
“ freedoms.” The original impression of this
work was of date 1732, and a new title only supplied in 1737.

In 1740, we find a Treatise by Mr. *Jacob*, on the
“ *General Laws of Estates*, or Freeholders Com-
“ panion. Rights and Qualifications to be mem-
“ bers of Parliament, Electors, Justices of Peace,
“ and Jurymen, and to kill Game, erect Dove
“ Cotes, &c.” Octavo.

And in the same year we find what is called the
seventh edition of Mr. *Jacob's Game Law*, of
“ persons qualified to kill Game, keep Dogs, Nets
“ &c. and of Hawking, Hunting, Fishing and
“ Fowling,” 12mo. The former editions were in-
titled “*Game Law*,” in two parts.

In 1744, we find Mr. *Jacob's* “ *New Compleat*
“ *Conveyancer*, or Attorney's Director, containing
“ precedents

“ precedents of Assignments, Bargains, and Sales,
“ Confirmations, Covenants, Declarations of Uses,
“ Fines and Recoveries, and in all other Deeds, of
“ Uses and Trusts, Securities for money, Provisoos,
“ Recitals, Releases, &c. most of them very special
“ and never before printed.” Octavo.

In 1748, “ *The Statute Law was Common-placed,*” by Mr. *Jacob*, shewing the purport of all the Statutes under proper heads, from Magna Charta, to 22 *Geo. II.* Fifth edition, with great additions, octavo.

And in 1749 and 1754, Mr. *Jacob's* “ *Law Grammar* or Rudiments of Law compiled from
“ the Grounds, Principles, Maxims, Terms, Words,
“ of Art, Rules and moot points of our Law, in a
“ new, easy and concise method,” was published in 12mo. another copy was printed in folio; to bind up with the author's “ *New Dictionary.*”

JENKINS (Sir Leoline.)

In the Life of this learned Judge of the Admiralty Court (temp. Car. II.) published by
Wynne,

Wynne, in two volumes folio, anno 1724, the following three tracts are to be found, together with several letters containing opinions upon a variety of subjects within the jurisdiction of the Court of Admiralty, viz. 1. "An Argument on the Statute " 13 Ric. II. c. 5. concerning the Jurisdiction of " the Admiralty before the House of Lords, in " Answer to Lord Chief Justice Vaughan," which is reputed to be a very able argument: vide *Barrington Obs. on 13 Ric. II.* 2. "A Charge given " at a Session of the Admiralty within the Cinque " Ports." And 3. "A Charge given at a Session " of Admiralty in the Old Bailey."

JENKINS, David.

Eight centuries of Reports, or eight hundred Cases solemnly adjudged in the Exchequer Chamber, or upon writs of error from 4 Hen. III. to 21 Jac. I. were originally published in French and Latin, by *David Jenkins*, a Welch Judge, in the reign of K. Car. I.

This selection forms a series of authentic judgments applicable to the more advanced state of the
law

law in our author's time, he having omitted to notice the Cases under the more obsolete titles, which make up so large a portion of the Year Books and general Abridgments of the ancient law. The method observed is a concise statement of the Case, and of the determination thereupon, with reference to the authority whence it is taken: then follows generally a short comment explaining the principle of the doctrine therein contained, with such further observations as appeared necessary to illustrate the point of law resolved, and there recorded as an absolute authority. This mode of reporting is peculiar to the author, whose Reports may properly be considered as a Commentary upon the judicial determinations of the former reigns, which is recommended by the learned author as an advantageous method to be pursued in the study of the law.

The *first* edition of Judge *Jenkins's* Reports was published in French, anno 1661, folio.

The *second* also in French, anno 1734, folio.

And the *third* was translated by *Theodore Barlow*,

low, Esq. with the addition of many references, and a Table of the principal matters, and published in 1771 or 1777, folio.

In 1647 Judge *Jenkins* published, in quarto, “ *A Discourse touching the Inconvenience of a Long Parliament.*”

And in 1657 was published, in 12mo. “ *Pacis Consultum*, or a Directory to the Public Peace, briefly describing the Antiquity, Extent, Practice, and Jurisdiction of several County Corporation Courts, especially the Court Leet; an exact and perfect Method to keep a Court of Survey, &c. and also certain Cases in Law resolved.”

JONES, Sir William.

To this great and learned man the public is indebted for many productions truly scientific, but our limits confine us to the notice of those only of a juridical nature.

The first of which appears to be, *The Speeches of Isæus*

Istæus in Causes concerning the Law of Succession to Property at Athens, translated by Sir *William Jones*, Judge of the Supreme Court of Judicature at Bengal, *with a Prefatory Discourse, Notes Critical and Historical, and a Commentary*, printed in quarto, anno 1779.

In the memorable year 1780 appeared his *Inquiry into the Legal Mode of suppressing Riots*, with a constitutional Plan of future Defence, printed in octavo.

In 1781 he published his elegant *Essay on the Law of Bailments*, which was reprinted in 1798, with introductory Remarks and Notes, comprizing the most modern Authorities, by *John Balmano, Esq.* in octavo. This Essay affords a most perfect specimen of a method of treating law subjects, and it is much to be lamented, that it stands as the only one, professedly written on the law of the author's native country among those learned works which illustrate the laws of distant kingdoms; and it is the more to be regretted, when we consider that it was the first object, and the sincere desire of that great man's heart (had he enjoyed a longer
N life)

life) to have discussed in the same form, *every* branch of the *English* Law, *civil and criminal, private and public*; after which, as he observed, it would be easy to separate and mould into distinct works the three principal divisions, or the *Analytical*, the *Historical*, and the *Synthetical* parts; for (says he) the subordinate and connected system of jurisprudence is reducible to a few plain *Elements*, either the wise *maxims* of national policy and general convenience, or the *positive* rules of our forefathers, which are seldom deficient in wisdom or utility. If a purpose so desirable had been effected, and which every lover of humanity and concord must yet wish to see accomplished, Englishmen might in process of time possess a Digest of their laws so completely framed, as to leave little room for controversy, except in cases depending on their own particular circumstances; but unhappily for the Republic of Letters in general, and for the Science of Jurisprudence in particular, Sir *William Jones* was snatched from his earthly seat of judgment almost in the prime of his life. See our *Prefat. Observ.*

The next work which we shall notice from the
pen

pen of the same author, is his verbal translation, from the *Arabic*, of the *Mahomedan Law of Succession to the Property of Intestates*, engraved on Copper Plates, with explanatory Notes, in quarto, anno 1782.

On the 4th of December, 1783, Sir *William Jones* read “ *A Charge to the Grand Jury at Calcutta*,” which was afterwards printed (in quarto, in 1784), with a Discourse on the Institution of a Society for enquiring into the History &c. of Asia.

And in 1796 Sir *William Jones*’s “ *Institutes of the Hindu Laws*,” were printed in octavo.

JONES, Sir William.

The name and title of Sir *William Jones* seems not to be confined to one man, nor to one age in the great theatre of learning; for in the year 1675, we find in print, the “ *Reports*” of Sir *William Jones*, “ *of divers Special Cases in the King’s Bench and Common Pleas*, from the 18 Jac. I. to “ the 15 Car. I.” in French, folio. This work, however, is sufficiently distinguished by being

cited as 1 *Jo. Rep.* In Easter Term 3 *W. & M.* it was declared by the whole Court, on consideration of the Case of *Crisp v. Pratt*, p. 437, that this book was very judiciously written; but Lord *Nottingham*, in argument in the *Duke of Norfolk's* Case, said, there is no book of law so ill corrected or so ill printed as this. Again in the Argument of *Charneley v. Winstanley*, T. 44 *Geo. III.* when a Case in Sir *William Jones's* Reports was questioned by the Counsel as being anonymous, *Laurence, J.* said, that Sir *William Jones* was not a Reporter to mistake the law of the Case, though he might not hear the name.

JONES, Sir Thomas.

The “*Reports*,” of Sir *Thomas Jones*, “*of Special Cases in the Court of King's Bench and Common Pleas*, from the 19th to the 36th year of *K. Charles II.*” were *first* printed in French, anno 1695, in folio; and *secondly*, in French and English, with the addition of many references, anno 1729, folio. This book is usually cited as 2 *Jon. Rep.*

KEBLE.

KEBLE.

The “*Reports*” of *Joseph Keble, Esq.* “*contain Cases in the King’s Bench, from 12 to 30 Car. II.*” and were published in three volumes folio, anno 1685, with two tables to each volume, but that of the principal matters is sometimes wanting.

Burnet, J. in *Batchelor v. Rigg*, 3 Wils. 330, styles Mr. *Keble* an inaccurate Reporter, though a tolerable historian of the law; and Lord *Hardwicke*, in *Colonel Pitt’s Case*, Ridgw. Ca. temp. *Hardw.* 100, says, that *Keble* though far from being an accurate, was a pretty good Register; and Mr. *Ridgeway*, in a note to S. C. adds, that he had often heard Lord *Kenyon* say, that *Keble* was a feeble Reporter.

KEILWEY.

These “Reports,” printed in French, 1602, 1633, and 1688, “*contain certain select Cases temp. Hen. VII. and Hen. VIII. not comprehended in the Year Books,*” with some few Cases at the end by Mr. Justice *Dallison*, and Mr. Serjeant *Benloe*.—

The Cases at the end, by *Dallison* and *Benloe*, are the same as those at the end of *Ashe's* Tables, but have the addition of a great many references.

Mr. *Robert Keilkey's* Reports are sometimes quoted under tit. *Croke*, having been selected and published by *John Croke*, Serjeant at Law, Recorder of London, and Speaker of the House of Commons, regn. *Eliz.* 43. who was afterwards knighted, and created a Judge of the Court of King's Bench. *Dugd. Chron. Series.* See also *App. to Hist. of Reform.* Vol. III.

KELYNG, Sir John.

The “*Reports of*” Sir *John Kelyng*, contain “*divers Cases in Pleas of the Crown* in the Reign “ of *K. Charles II.* with Directions for Justices of “ Peace and others:” to which are added, three modern Cases, viz. *Armstrong v. Lisle*, *Rex v. Plummer*, and *Rex v. Matgridge*. First and second edition the same, the latter having only a new title, folio, annis 1708, 1739.

Kelyng's Reports were published by Lord C. J. *Holt*, with notes and some references. See *Foster's Cr. Law*, 204.

KELYNGE.

KELYNGE, William.

The “*Reports*” of *William Kelynge*, “*of Cases in Chancery, the King’s Bench, &c. from 3 to 9 Geo. II. during which time Lord King was Chancellor, and Lords Raymond and Hardwicke were Chief Justices of England,*” were published in 1764; to which were added 70 new Cases, not in any former edition, two parts, folio. This book is cited as 2 *Kelynge*.

K Y D.

In 1793 and 1794 *Stewart Kyd*, Esq. published “*A Treatise on the Law of Corporations,*” in two volumes octavo.

In 1795 he published a *third* edition of “*A Treatise on the Law of Bills and Promissory Notes,*” with an Appendix, in octavo.

In 1799 a *second* edition of “*A Treatise on the Law of Awards by Arbitration,*” with great additions from printed and MS. Cases, and an Appendix of a variety of useful precedents; octavo. And in the same year a tract “*on the Assessed Taxes;*” octavo.

LAMBARDE.

A "*Perambulation of Kent*" seems to have been the first production of *William Lambarde*, Esq. it "contains the Description, Historie, and Customes of that Shire," and was *originally* published by *William Middleton*, Esq. in quarto, anno 1576, with an account of the nobility, omitted in the subsequent editions. A *second* edition, increased and enlarged, after the author's own last copy, was printed in quarto, anno 1596. A *third*, corrected and enlarged, was printed in 12mo. without date. A *fourth* in 1640, with the Charters. &c. of the Cinque Ports, in octavo. And a *fifth* (the same) in 1656.

In 1581, 1582, 1588, 1591, 1592, 1594, 1599, 1602, and 1607, his "*Eirenarchia*, or Office of Justices of the Peace," was published in octavo; but these editions often want the office of constable, and several of them vary in the paging. And in 1610, 1614, and 1619, the same were again published in octavo; to which was added, the "Duty of Constables, Burseholders, Tything-Men, &c."

Sir

Sir *William Blackstone* (Com. B. 1. c. 9) recommends this work to the perusal of students.

In 1582, 1583, 1594, 1602, 1631, 1633, and 1677, his "*Duty of Constables*" was printed in octavo.

In 1635 Mr. *Lambarde* published his "*Archeion*,
" or a Discourse upon the High Courts of Justice
" in England," octavo. Of this work there are
two editions of the same date, but that which contains a Preface to the Reader, signed T. L. and a Table of Contents, is the most correct, having been printed from the author's MS. The other edition, which is somewhat of a larger size, is entitled "*Archion.*" *W. Fleetwood*, Recorder of London, wrote Observations on this work, which are mentioned by several authors. *Wood's Athen. Oxon.* I. 230, first edition.

In 1644 was published (in folio) his "*Archainomia*, or the antient Laws of the English corrected
" in 600 places, by *Abraham Wheelock*;" to which were added, the Laws of *Will. I.* in Norman and Latin, and of *Hen. I.* in Latin, published from the MS. remaining in the Exchequer; with a Preface
by

by Sir *Roger Twysden*, together with an old Glossary from a MS. in the Monastery of St. Augustine in Canterbury; and another supposed to have been compiled by Mr. *Somner*. Mr. *Somner* also translated these laws into more simple Latin and into English, which (it is observed) deserve to be made public (being still extant in MS.), with the additions that might be made to the Collection of Laws. Vide *Gough's Brit. Top.* V. i. 441. *Kennet's Life of Somner* annexed to the Treatise of Gavelkind, and *Nicholson's Hist. Lib.* 4. 152.

And in 1658 the “*Antient Laws*, with a Map of “ England as in the Saxon Time,” was printed in quarto, under the name of *William Lambarde*; though it is said, that this collection was originally made by *Laurence Nowell*, who going abroad in 1657, left it to Mr. *Lambarde* to translate and publish.

“ *Pandecta Rotulorum*, or an Account of all “ the Rolls, Bundells, Membranes, &c. in the “ Tower,” was also published by Mr. *Lambarde*, without date. Of this it is said, that it was presented by the author to Q. *Eliz.* by whom he had
been

been appointed Keeper of the Records. For an account of this Pandect, see the *Memoirs of W. Lambarde*, printed in *Bibl. Top. Brit.*

Besides these we find, that Mr. *Lambarde* composed “*A Charge for the Peace*, by Order of the “Decalogue, or Ten Commandments of Almighty “God,” which was printed in the Appendix to *Memoirs of W. Lambarde* in *Bibl. Top. Brit.* where mention is also made of a “Collection of his “Charges from 1581 to 1600.”

LANE.

The “*Reports*” of *Richard Lane*, Esq. “*in the Court of Exchequer* in the Reign of K. *James*,” were published in folio, anno 1657.

LATCH.

John Latch, Esq. was the Reporter of certain “Cases in the three first Years of K. *Car. I.*” which were published in French, by *Edward Walpoole*, in 1662, folio.

LAWES.

LAWES.

In 1806, *Edward Lawes*, Esq. published “ an
“ *Elementary Treatise on Pleading in Civil Ac-*
“ *tions,*” containing a general History of Pleading;
The several Divisions of Pleading; General Rules
applicable thereto; The Declarations; Pleas in
Abatement; in Bar; Replications and subsequent
Pleadings; of a Cassetur Billa and Nolle prosequi
and of Demurrers; Pleas puis darrein Continuance
and Repleader, octavo.

LAWRENCE.

In Vindication of the Duke of *Monmouth's*
Claim of Succession to the Crown, *William Law-*
rence, wrote a Tract intituled, “ *Marriage by the*
“ *Moral Law of God, vindicated against all Ce-*
“ *remonial Laws of Popes and Bishops, destruc-*
“ *tive to Filiation, Aliment, and Succession, and*
“ *the Government of Families and Kingdoms, to-*
“ *gether with the Right of Primogeniture in suc-*
“ *cession to the Kingdoms of England, Scotland*
“ *and Ireland, as declared by Stat. 25 Ed. III.*

“ c. 2. de Proditionibus,” in three books, quarto 1680, 1681.

The author of this Tract, (as appears in folio 91, 262, 270, 282 and 283) was one of the Commissioners for the Administration of Justice, in Scotland, and served in Parliament, for some County not named. Vide folio 342.

LAW SELECTIONS.

This useful Collection consists of eight distinct and familiar Treatises (by *James Barry Bird, Esq.*) on such subjects as are found most suitable to the daily occurrences of Life.

Part I. Contains “ The Law of *Landlords, Tenants and Lodgers.*”

II. “ The Law of *Wills, Testaments and Codicils, Executors and Administrators.*”

III. “ The Law of *Masters and Servants, articulated Clerks, Apprentices, Journeymen and Manufacturers.*”

IV. “ The Law of *Parish Matters.*”

V. “ The Law of *Tithes.*”

VI.

VI. "The Law of *Commons and Commoners*".

VII. "The Law of *Highways and Turnpike Roads*."

VIII. The Law of "*Travellers and Travelling*."

These are usually bound in two volumes octavo.

LEACH.

To *Thomas Leach*, Esq. the learned and industrious editor of the *Pleas of the Crown*, originally written by Mr. Serjeant *Hawkins*, we are further indebted for his own Reports of "*Cases in Crown Law, determined by the twelve Judges, by the Court of King's Bench, and by the Commissioners of Oyer and Terminer and general Goal Delivery*."

The *first* edition of these Reports published in 1789, contains Cases from 4 *Geo.* to 29 *Geo.* III. octavo.

The *second*, with additions and corrections, is continued to 32 *Geo.* III. and was printed in 1792, octavo.

And the *third*, with additions to 40 *Geo.* III. printed in 1800, two volumes octavo.

The

The pen of the same Gentleman has been further employed in committing to the press his “ *Considerations on the Matter of Libel, suggested by Mr. Fox’s Notice in Parliament of an intended Motion on that Subject,*” octavo, no date.

LEICESTER v. PERRY.

The Case of the Earl of *Leicester v. Perry*, which was tried at bar, on a writ of right, and with the proceedings thereon before the Grand Assize, in the Common Pleas, touching *Penshurst Place Park*, &c. in Kent, with the Speeches of the Counsel and Judges, was published in quarto, anno 1782.

LEONARD.

The “ *Reports*” of *William Leonard*, Esq. “ of *Cases in the Courts at Westminster* in the Times of the late Q. *Eliz.* and K. *James,*” were published in four parts, *first* in 1658; and *secondly* by *William Hughes*, with Tables and the addition of many thousand references in 1687; folio.

A Table of the principal matters to the first three
parts

parts, usually placed at the end of the third part, is often wanted in the first edition.

Lord *Nottingham*, in *Duke of Norfolk's Ca.* 35. said that *Leonard's Reports* was one of the best books that had lately come out.

LEVINZ.

The “*Reports*” of Sir *Creswell Levinz* “*of Cases in the Court of King's Bench*, during the “*time Sir Robert Foster, Sir Robert Hyde and Sir John Kelyng*, were Chief Justices, as also “*of Cases in other Courts*, during that time, viz. “*from 12 Car. II. to 8 Wm. III.*” in three parts, were *first* published in French, anno 1702, folio; *secondly* in two volumes folio, anno 1722; and *thirdly* in French and English, translated by Mr. Serjeant *Salkeld*, and carefully corrected with many thousand references, and the pleadings translated by *T. Vickers* in 1802, two volumes octavo.

Lord *Hardwicke* speaking of the Case of *City v. City*, 2 Lev. 130, said *Levinz* though a good Lawyer was sometimes a very careless Reporter.

LEWIS

LEWIS.

In 1805, "*Randle Lewis*" published his "*Reflections on the Causes of unhappy Marriages*, and
 " on various subjects therewith connected; an
 " Epitome of the law of Marriage and Divorce with
 " judicial Decisions, touching Separation, Alimony,
 " the Debts and separate Property of the Wife, to
 " which is added a brief Account of the Civil and
 " Spiritual Courts, with a new Plan for settling separate Maintenance without Ecclesiastical Process."

LEY.

The "*Reports*" of Sir *James Ley* "*of Cases in the Courts at Westminster in the Reigns of King James and King Charles*, with two Tables, to
 " which is added a Treatise of Wards and Liveries," were published in folio, anno 1659.

LIBER NIGER SCACCARII.

This Compilation contains an account of the number of Hides of Land, held by the King's
 O Tenants,

Tenants in Capite, Escuages, &c. taken (as it seems) on occasion of levying an aid for marrying the Daughter of King *Henry II.* to the Emperor, with the Will of *Henry II.* and several Charters, Conventions, &c.

LIBER RUBER SCACCARII

Is in substance, much the same as *Liber Niger*, but it seems to be continued up to the reign of King *John*, and probably by some later hand. The Compilation of this book is ascribed to *Alexander de Swereford*, Archdeacon of *Shrewsbury*, and an Officer in the latter end of *Hen. II.*

Both the foregoing books are in a great measure comprized in *Dialogus de Necessariis Observantiis Scaccarii*, a MS. copy of which is in the possession of *George Fair*, Esq. which contains in several parts more than the print.

Mr. *Barrington* (Obs. on Mag. Ch. c. 4) says this book has uncommon merit as a literary production of the reign of *Henry II.*

A singular

A singular obscurity has attended the assigning this work to its proper author. It was long known previous to its being printed by *Madox* in his *Hist. of Exch.* 1711, and was frequently quoted by *Spelman* in *Gloss. verb. Scaccarium*, &c. by the title of *Gerv. Tilburiensis*, by which name it was also quoted by *Selden* in *Tit. of Hon.* 1614, who however in his Table of authors, in that work, acknowledges his mistake, in following the common opinion, and upon the information of Mr. *Agard*, and the authority of *Alexander de Swereford* in his preface to *Liber Ruber*, assigns it to *Richard de Beaumes* Bishop of *London*, temp. *Hen. I.* which was afterwards confirmed by *Madox*, in his *Epistolary Discourse* prefixed to this dialogue. It had however frequently been quoted by the title of *Ockham*, and *Ockham's Lucubrations*, by *Spelm.* in *Gloss. verb. Justiciarius*, by *Cowell* in *Dict. tit. Exchequer*, and by *Coke* in 2 *Inst.* 19, 44, 498, and often generally in his *Com. on Lit.*—under that Title however it seems to have been but very little known, till pointed out by Mr. *Hargrave* (in *Co. Lit.*) as being the same with the Dialogue printed in *Madox*, which has been since translated and printed

under the title of *Dialogue of the Exchequer*, quarto 1758.

It is said of this treatise that "*Ockham*," (in the reign of *Hen. II.*) " honors copy-holders in those
" elder times, with the name of Customary Tenants,
" and *Ockham* not only spake worthily of them
" but of their original, whose works through the
" envy and tyranny of the times, have not had
" the liberty to appear in public." *Epist. Medio Saxon. or Middlesex, first Letter to Lord General Cromwell*, quarto 1653.

It is further observed by Mr. *Hargrave*, that it is not easy to guess Lord *Coke*'s reason for attributing this work to *Ockham*, and it seems equally unaccounted for, by what authority it has generally obtained the name of *Gervasius Tilburiensis*, for his works were of a very different kind. Vide *Madox Prelim. Dissert.*

Nicholas de Okham or *Ockham* (it seems) was Clerk to the Treasurer of the Exchequer, and died in 34 *Ed. I.*—V. *Madox*, vol. II. 304.

This

This *Dialogus de Scaccario* treats of the whole Establishment of the Exchequer as a Court and an Office of Revenue, giving an exact and satisfactory account of the Officers and their duty, with all matters concerning that Court during its highest grandeur, in the reign of *Hen. II.* *Reeve's Hist. Eng. Law*, I. 220.

LIBER NIGER ADMIRALITATIS

Is an antient MS. Collection or Register of Records relating to the Admiralty Jurisdiction, and is supposed to have been originally compiled in the reign of K. *Ed. III.* but it appears to have received considerable additions during several subsequent reigns. It contains certain old ordinances or Statutes of the Admiralty in the reigns of K. *Richard, John* and *Edward I.* no where extant, except as extracted from thence. Also many regulations concerning the Office of Lord High Admiral and his duty in time of War, with his salary, and share of Prizes taken from the Enemy; and further it comprehends many Injunctions and Ordinances, respecting proceedings against delinquents in matters within the Jurisdiction of the Admiralty, and the

Articles constituted at the Inquisition at *Queenborough*, 49 *Ed. III.* for the accusation and punishment of offenders to be observed in future. To these antient Laws written in old French, are added the *Articuli*, as they are stiled, of Mr. *Rowghton*, who is supposed antiently to have held the Office of Register in the Court of Admiralty; these last are ill written in Latin, and seem to be the substance of the before mentioned Statutes and Ordinances digested into a more compendious and methodical arrangement. The age of this latter compilation is not ascertained, but it is held of the highest authority, as is also the original work, by all the writers who have treated of the Admiralty Laws. V. *Prynne on 4 Inst.* 106, 115, &c. *Exton's Marit. Dicæol.* c. xiii.

LILLY.

Most of the productions of Mr. *John Lilly* appeared in print in the year 1719. Of that date is the *first* edition of his "*Practical Conveyancer*," published in folio: a *second* edition in folio, was printed anno 1732, and a *third* in two parts folio, anno 1742. Part I. containing "Cases in Law and
" Equity

“ Equity relating thereto,” and part II.—contain-
“ ing a variety of Precedents with additions from
“ Peere Williams’s Reports, new methodized and
“ enlarged from Piggot’s New Precedents in Con-
“ veyancing, &c.”

In the same year was published Mr. *Lilly’s*.
“ *Reports and Pleadings of Cases in Assize*, for
“ Offices, Nusances, Lanes and Tenements, shew-
“ ing the manner of proceeding in Assizes of novel
“ disseisin from the Original to the Judgment and
“ Execution,” folio.

In the same year Mr. *Lilly* also *first* published
his “ *Practical Register* or Abridgment of the
“ Law,” in which he incorporated the practical
Register of Mr. *Style* as continued by himself in
1710. This work contains many rules of Court and
practical Cases in two volumes; a *second* edition
was published in 1735; a *third* continued by a
Supplement in 1744, and a *fourth* in 1745. Mr.
Justice Wright in *Herbert v. Williamson*, 1 Wils.
324, said, this was a book of authority in matters of
Practice.

And in the year 1723, Mr. *Lilly* published *first* in *Latin* his “ *Modern Entries* of Select Pleadings in
 “ the Courts of King’s Bench, Common Pleas and
 “ Exchequer, viz. Declarations, Pleas in Abate-
 “ ment and in Bar, Replications, Rejoinders, &c. De-
 “ murrers, Issues, Verdicts, Judgments, Forms of
 “ making up Records of Nisi Prius, and entering
 “ of Judgments in most Actions, many of them
 “ drawn or perused by the most eminent counsel
 “ of the time. Also special Assignments of Errors,
 “ and writs, and proceedings thereupon, both in
 “ the said Courts, and in Parliament, with the
 “ method of suing out Outlawries, by writ of
 “ error, or otherwise; to which is added a collection
 “ of Writs in most Cases now in Practice.” *Second-*
ly an *English* edition of the *Modern Entries* was
 published in 1741; a *third* in 1758; a *fourth* in
 1771; all in folio, and a *fifth* in two volumes royal
 octavo, with proper Tables to the whole, anno
 1791.

LITTLETON's Tenures.

The various editions through which the *Tenures*
 of Sir *Thomas Littleton* have passed, are the best
 evidences of the intrinsic worth of his book. Doctor

Middleton

Middleton supposes the *first* edition to have been that printed in French, by *Letton and Machlinia* near the Church of All Saints in London, without date, and he considers that it was put to the press by the author himself in 1481, (the year he died :) See also *Ames* V. 1. 112; but Lord *Coke* supposes the French edition in folio, printed (without date) at Rouen, by W. le Tailleur for R. Pinson, to have been the *first*, a copy of which is in the Inner Temple library. In *Herbert's* edition of *Ames* V. I. 285, and *Wynne's Catal.* 106, mention is made of *Littleton's Tenures* in French, printed by R. Pinson in folio, anno 1516, and of another edition in small folio, by the same printer, with his devise and the portrait and arms of H. VII. but without date. *Ames* V. I. 274, further mentions *Littleton's Tenures* to have been printed in French by R. Pinson in 16mo. anno 1525, 1526 and 1528. There is another edition of *Littleton's Tenures*, which *Ames* never noticed, and which was never mentioned by any of the writers who have undertaken to ascertain the earliest editions of *Littleton*, until it was described in the preface to *Hargrave and Butler's* edition of *Coke* upon *Littleton*, namely that which was printed in folio, French, by Wm. de Machlinia,
near

near the Flete Bridge in London. A copy of this was formerly in the Library of *William Bayntun*, Esq. and is now in the Collection of *Francis Hargrave*, Esq. *Littleton's Tenures* were also printed in French, by R. Redman, first without date, and again by him in 1528 and 1540.

In the course of the next Century, viz. from 1539 to 1639, no less than twenty four editions of this book were printed in small octavo, 12mo. *et infra*, all in French. Of these Mr. *Hargrave* has observed that the edition of 1577, printed by R. Tottel, is a little more correct than the common printed copies. The edition of 1585 is the first which numbers the sections, and which though injudiciously marked, are still retained; a table was then also added by *W. West*. The editions of 1594 to 1639, correspond as to the pages, and one of them seems to have been used by Lord *Coke* in compiling his Commentary by references 273 (b.)

Littleton's Tenures were afterwards published with a modern French Translation and Annotations illustrating the connection of *Littleton*, with the
French

French Laws by Mons. *Houard*, in two volumes, quarto, printed at Rouen in 1766.

The first edition of *Littleton's Tenures* in *English* appears to have been printed in folio by J. Rastall without date, and the next by W. Middleton in 1548. In octavo et infra, various editions were published between the years 1528 and 1656, but none of the English editions have the sections numbered.

In 1671, an edition in French and English was printed in 12mo. with double columns and a table of principal matters.

The original composition of this celebrated work is justly esteemed as the principal pillar on which the superstructure of the Law of real Property in this Kingdom is supported, and upon which, the valuable Commentary of Lord *Coke* has uniformly been considered by the most eminent Lawyers as the result and repository of all his learning on the subjects there treated. Of this work a republication has lately been made, which, independent of the valuable Annotations of Lord *Hale* and Lord Chancellor

Chancellor *Nottingham*, has been greatly improved by the learning and indefatigable labors of Mr. *Hargrave* and Mr. *Butler*.

Vide *Coke upon Littleton*.

We here take occasion to notice a book which was written in the reign of *Edward III.* and which is called *Old Tenures* to distinguish it from *Littleton's* book above mentioned. It gives an account of the various Tenures by which Land was holden, the nature of Estates and some other incidents relating to landed property. It is a very scanty Tract, but has the merit of having led the way to *Littleton's* famous work. *Reeve's Hist. Eng. Law.* III. 151.

LITTLETON, Sir Edward.

The “*Reports*” of Sir *Edward Littleton* “*of Cases in the Courts of Common Pleas and Exchequer* from 2 to 7 Car. I. with two Tables,” were published in folio, anno 1683.

Stevens, in his introduction to Lord *Bacon's*
Letters,

Letters, edition 1702, page 21, says that this book bears the Name of Lord Keeper *Littleton's Reports*, yet he conceived it was never composed by him, many of the Cases therein being the same as in *Hetley's Reports* verbatim.

LOFFT.

The "*Reports*" of *Capel Lofft*, Esq. "*of Cases in B. R. and C. B. from E. 12 Geo. III. to M. 14 Geo. III. inclusive, with some select Cases in Chancery; the Case of General Warrants and a Collection of Maxims,*" were printed in folio, in 1776.

This Collection is said to contain some important Cases, but which from a hasty mode of publication is reputed to be very inaccurate, and has accordingly not met with that favourable reception which the labors of those who engage in works of this kind are usually entitled to from the profession.

LOVELASS.

LOVELASS.

In 1785, *Peter Lovelass*, Esq. published a Tract under the Title of “ *The Will which the Law makes;*” a second edition of which he afterwards printed under the title of “ *The Law’s Disposal of a Person’s Estate who dies without Will or Testament, shewing in a clear, plain, easy and familiar manner how a Man’s Family or Relations will be entitled to his real and personal Estate by the Laws of England and Customs of the City of London, and Province of York; to which is added the disposal of a person’s Estate by Will and Testament, containing an explanation of the Mortmain Act, with Instructions and necessary forms, likewise directions for executors how to act after the Testator’s death, &c.*” A ninth edition of this work was published in 1798, Octavo.

And in 1789 Mr. *Lovelass* published “ *A full, clear and familiar Explanation of the Law concerning Bills of Exchange and Promisory Notes, and the Evidence on a Trial by Jury relative thereto,*

“ thereto, with a description of Bank Notes and the
“ privilege of Attornies.” Octavo.

LUCAS.

For the Reports of *Robert Lucas*, Esq. See *Mod. Rep.* part 10.

LUDER.

The “ *Reports* ” of *Alex. Luder*, Esq. “ *of Proceedings in Committees of the House of Commons upon Controverted Elections* heard and determined during the present Parliament,” were published in 1785 and 1791, three volumes octavo.

LUTWYCHE.

The “ *Reports and Entries* ” of Sir *Edward Lutwyche* “ *in C.B. from 34 Car. II. to 2 Ann.* ” were first published in 1704, in Latin and French, two volumes folio. Afterwards, in 1718, they were translated, with Observations, and published in folio, by *William Nelson*, Esq. and in the same year they were published in two volumes octavo, in English.

Sir

Sir *Edward Lutwyche* was principally attentive to a correct statement of the Pleadings in his Reports.

MADOX.

To the King's Historiographer *Thomas Madox*, Esq. we are indebted for "*The History and Antiquities of the Exchequer of the Kings of England, from the Norman Conquest to the End of the Reign of K. Ed. II. taken from the Records, with a correct Copy of the antient Dialogue concerning the Exchequer, ascribed to Gerv. Tilburiensis, and a Dissertation concerning the most antient great Roll, Quinto Stephani.*" Lat. printed *first* in folio, 1711; and *secondly* in two volumes quarto, 1769. An antient Dialogue concerning the Exchequer was also written (according to Mr. *Madox*, in his Preface to *Firma Burgi*) by *Richard de Beaumes* (temp. *Hen. II.*), afterwards Bishop of *London*, and was published from two MS. volumes called the *Black Book* and *Red Book*, remaining of record in His Majesty's Exchequer, which contain an authentic account of the great officers of the realm, by whom the various branches
of

of the Royal Revenue were managed; also a circumstantial detail of the Sheriff's Accounts, with many other instructive and curious particulars, were published in Latin, by *Thomas Madox*, Esq. and were carefully translated into English by a Gentleman of the Inner Temple. This was printed anno 1758, in quarto.

In 1726 Mr. *Madox* published, in folio, his "*Firma Burgi*, or a Treatise of Boroughs."

And in 1736 he published, in folio, his "*Baronia Anglica*, being an History of the Land Honours, Baronies, and Tenure in Capite, verified by Records," with which the Index to his History of the Exchequer is frequently bound up.

Besides which we find in print (without date), from the pen of Mr. *Madox*, a "*Formulare Anglicanum*, or a Collection of antient Charters and Instruments of divers kinds, taken from the Originals, placed under several Heads, and deduced (in a Series according to the order of Time) from the Norman Conquest to the End of K. *Hen. VIII.*"

Furthermore we find in print "The Manuscripts
 " of Mr. *Madox*, which comprized 94 volumes,
 " and which are deposited in the Museum, con-
 " sisting chiefly of Extracts from Records in the
 " Exchequer, the Patent and Clause Rolls in the
 " Tower, the Cotton Library, the Archives of
 " Canterbury and Westminster, and the Collec-
 " tions of Christ's Church College, Cambridge, &c.
 " having been collected as materials for a Feudal
 " History of England." For further information
 as to the particulars of this very valuable Collec-
 tion, see the Rev. Mr. *Ascough's* Catalogue of
 (undescribed) MSS. in the Museum, Vol. I. 236.
 See also *Nichols's Anecdotes of Bowyer*, 92, for an
 account of all the publications of Mr. *Madox*.

MANWOOD.

A Briefe Collection of the Lawes of the Forests
 was first printed by the author, *John Manwood*,
 partially only, and distributed by him amongst his
 private friends, but that collection was afterwards
 enlarged and published under the title of "*Trea-*
 " *tise and Discourse of the Lawes of the Forest,*
 " wherein is declared not only those Laws now in
 " Force,

“ Force, but also the Original and Beginning of
 “ Forests, and what a Forest is in its own pro-
 “ per nature, and wherein the same doth differ
 “ from a Chase or Warren, with all such things as
 “ are incident or belonging thereunto, with the
 “ proper Terms of Art; also a Treatise of the
 “ Pourallee, &c.” 4to. 1598, again in 1599, again
 in 1615, and again in 1665.

The edition of 1598 consists of twenty chapters only, but those of 1615 and 1665 consist of twenty-five chapters, to the latter of which is also prefixed, the Charter of *Canute*, and Statutes relating to the Forest. The materials of which these additions consist, were collected from the author's former work on the same subject, as also from what he had prepared for a further publication, containing the principal Cases of the Assizes of *Woodstock*, and of *Pickering* and *Lancaster*, &c. It is observable, that this author quotes the treatises of several authors which do not appear to be now extant in print, viz. Mr. *Serjeant Fleetwood's* brief Collections of Notes on the *Forest Laws*, *Archer's* Reading on the Laws of the Forest, and *Hesketh's* Reading on *Carta de Foresta*. *Manwood's Forest Laws*

were also published by *Nelson*, in 1718 and 1744, and called the fourth or fifth edition (being the same, and the title page only reprinted in the latter), but the contents and arrangement of this latter edition differ very much from the original work.

In the "Observations on the Land Revenues of the Crown," attributed to the Hon. Mr. *St. John*, appears Mr. *Manwood's* "Project for improving the Land Revenue by inclosing Wastes for Sir *Julius Cæsar*, 27 April, 1609."

MARCH.

The "*Reports*" of *John March*, Esq. "*of New Cases taken in 15, 16, 17, and 18 Car. I.*" were first printed in 1648, and secondly, with a Table of the principal matters and a new Title, in quarto, anno 1675.

MARRIOTT.

"*The Decisions in the High Court of Admiralty, during the Time of Sir George Hay and Sir James*

“ *James Marriott*, late Judges of that Court, from “ Michaelmas, 1776, to Hilary, 1779,” were published in octavo, anno 1801.

MARSHALL.

In the year 1802, *Samuel Marshall*, Esq. (Serjeant at Law) published a *Treatise on the Law of Insurance*, in four books. I. Of Marine Insurance; II. Of Bottomry and Respondentia; III. Of Insurance on Lives; and IV. Of Insurance against Fire, in 2 volumes royal octavo. This work is compiled with great accuracy, and is so well digested, that we consider it not only a valuable acquisition to every lawyer, but to every merchant and underwriter.

MAYNARD.

For *Maynard's Reports*, see “ *Year Books*,” post.

MEDOWS.

In 1689 Sir *Philip Meadows* published, in quarto, his “ *Observations concerning the Dominion and*

“ *Sovereignty of the Seas*, being an Abstract of the
 “ Marine Affairs of England.” In a copy of this
 work belonging to *Charles Butler*, Esq. is the fol-
 lowing note, by the late Lord C. B. Parker:—
 “ This is a most curious and excellent Treatise,
 “ and though Mr. *Selden’s Mare Clausum* is a
 “ learned and ingenious work, and will be ever
 “ popular with Englishmen, yet Sir *P. Medows’s*
 “ rules for ascertaining the limits of the sea, seem
 “ to me to be founded on more solid and pru-
 “ dential reasons than Mr. *Selden* has offered in
 “ his book.” *T. Parker*, Sept. 14, 1744.—*Harg.*
and Butl. Co. Lit. 108 a. 261 a. Sir *Philip Me-*
dows is also mentioned as the author of a tract in-
 titled, “ *A Brief Enquiry into Leagues and Con-*
 “ *federacies made betwixt Princes and Nations,*
 “ *with the Nature of their Obligations,*” quarto,
 anno 1682.

METINGHAM.

John de Metingham, C. J. in C. B. 18 Edw. I
 is recorded as the author of a treatise entitled *Ju-*
dicium Essoinorum.

MILLAR

MILLAR.

To *John Millar*, Esq. (Advocate in Scotland) we are indebted for his learned *Elements of the Law relating to Insurances*, printed in octavo, anno 1787.

And to the same gentleman we are obliged for *An Historical View of the English Government from the Settlement of the Saxons to the Accession of the House of Stuart*, printed first in quarto, anno 1787; and secondly, with some *Dissertations connected with the History of the Government from the Revolution to the present Time*, printed in 1803; four volumes octavo.

MITFORD.

“ *A Treatise of Pleadings in Chancery by English Bill*” was published, in octavo, by *John Mitford*, Esq. (now Lord Redesdale), first in 1782, and secondly in 1787. The second edition, exclusive of additions inserted in the text, contains a copious Analytical Table of the Contents, preceding the work.

Lord *Eldon*, speaking of Sir *John Mitford's Treatise on Pleadings in Chancery*, said it was a wonderful effort to collect what is to be deduced from authorities speaking so little what is clear, and that the surprize is not from the difficulty of understanding all he has said, but that so much can be understood. Vide *Lloyd v. Johnes*, 9 Ves. jun. 54.

MODERN REPORTS.

This voluminous Collection was originally printed in twelve distinct parts, folio, with various dates, and was oftentimes reprinted, as will appear by the following account, viz.

Part I. (said to be written by *Anthony Colquitt*, Esq. and) containing Reports from 21 to 29 *Car. II.* in K. B. and C. P. with the great case between *Fry and Porter* in Chancery, 22 *Car. II.* was printed and published in 1682, 1700, 1720, and 1757, and called the fourth edition.

Part II. comprising the 26, 27, 28, 29, and 30 *Car. II.* chiefly in C. P. was printed anno 1757, and called fourth edition. Vide *Sarum Bishop v. Philips*, 1 Ld. Raym. 537.

Part

Part III. embracing the period from 34 *Car. II.* to Hilary Term 2 *Wm. & Mary*, printed anno 1557, called fourth edition.

Part IV. comprehending the 3d, 4th, 5th, 6th, and 7th years of K. *Wm. III.* printed anno 1757, called fourth edition. Vide *Slater v. May*, 2 *Ld. Raym.* 1071.

Part V. comprehending the 2d, 5th, 6th, 7th, 8th, 9th, 10th, and 11th years of *Will. III.* printed anno 1757, and called fourth edition.

Part VI. comprising *Modern Cases in the Court of Queen's Bench*, in 2d and 3d years of *Q. Anne*, printed anno 1757, and called fourth edition.—Vide *Ridout v. Payne*, 1 *Ves.* 11. In *Middleton v. Crofts*, *Ridgw. Ca. temp. Hardw. in B. R.* 126, *Ld. Hardwicke*, speaking of the Case of *Britton v. Standish*, 6 *Mod.* 188, said, it was not a book of the greatest authority or correctness.

Part VII. comprising *Modern Cases* in the 1st year of *Q. Anne*, by *Thomas Farresley, Esq.* printed anno 1757, and called fourth edition.

The foregoing Seven Parts were revised by *Danby Pickering, Esq.*

Parts VIII., and IX. contain *Modern Cases in Law and Equity*: First, *Reports of Cases in the Court*

Court of King's Bench, from 7 to 13 *Geo. I.*; and secondly, *Cases in Chancery* in 8, 9, 10, and 11 *Geo. I.* To which are added, some *Special Cases on Appeals*, second edition, corrected from a multitude of errors of the former edition by an eminent hand, printed anno 1769, folio. Vide *Rex v. Williams*, 1 Burr. 386, and *Rex v. Harrison*, 3 Burr. 1326.

Part X. containing *Cases in Law and Equity* during the time the late Earl of *Macclesfield* presided in those Courts, by *Robert Lucas*, was printed anno 1769, folio.

Part XI. containing *Reports in the Queen's Bench* in the time of *Q. Anne*, second edition. To which are added, Notes and References, and some select Cases, Arguments, and Pleadings, by *Thomas Lutwyche*, Esq. printed anno 1781, folio.

Part XII. containing *Cases in the King's Bench* from the second year to the end of *Wm. III.* was printed anno 1769, folio.

In *Rex v. Lyme Regis*, Dougl. 83, *Buller*, J. said, that 12 Mod. was not a book of any authority.

The whole of the above Collection is bound and sold in nine volumes folio. But at length in the years 1793, 1794, 1795, and 1796, by the industry of *Thomas Leach*, Esq. Barrister at Law, this scattered Collection was consolidated into a *fifth* edition, and published in twelve volumes royal octavo, under the title of “ *Modern Reports, or Select Cases* “ *adjudged in the Courts of King’s Bench, Chan-* “ *cery, Common Pleas, and Exchequer*, from the “ Restoration of *Car. II.* to the 28 *Geo. II.* in “ twelve Parts, corrected, with the Addition of “ marginal References and Notes, and 381 Cases.”

MOLLOY.

Tractatus “ *De Jure Maritimo et Navali*, or a “ Treatise of Affairs Maritime, and of Commerce,” in three books, was *first* published in 1676, *secondly* in 1682, *thirdly* in 1688, *fourthly* in 1690, *fifthly* in 1707, *sixthly* in 1722, *seventhly* in 1744, octavo; and *eighthly* in two volumes octavo, anno 1769, with many valuable additions. This last is called the ninth edition, and that of 1688 is called the fourth.

MON-

MONTAGUE.

A Digest of the Bankrupt Laws, with a Collection of the Statutes and of the Cases, was published by *Basil Montague*, Esq. in four parts, royal octavo, anno 1804-5.

And in 1801 he published his *Summary of the Law of Sett Off with an Appendix of Cases argued and determined in the Courts of Law and Equity upon that Subject*, one volume octavo.

MONTESQUIEU, (*Baron.*)

Esprit des Loix. It is useless to enumerate the various editions through which this valuable book has passed either in the language of the author or in the Translation; suffice it to say that it has been ably rendered into English by Doctor *Nugent*, and the last edition was published in 1793. A select part of this work namely that which treats of the Constitution of England, (*Lib. vi. c. 11.*) was translated and published by Mr. *Baron Maseres* in 1781.

Sir *William Jones* speaking of this work (or rather Mr. *Balman* his Commentator) says “ The
“ profound researches of *Montesquieu* illuminated
“ by a genius powerful and vivid have explored
“ the Principles of a Science the most important
“ to the happiness of Mankind. With some ex-
“ ception to the predominating Tenet of the In-
“ fluence of Climate, the *Esprit des Loix* displays
“ a fulness of Learning, Philosophy, and Political
“ Sagacity, before which the Superficial Effusions
“ of *Voltaire*, and even the ardent reveries of
“ *Rousseau*, sink into Insignificance. It is how-
“ ever to be lamented that their countrymen have
“ not taken the benefit of such a comparison, and
“ that in the progress of the mighty revolution
“ that astonishes Europe, the Dogmas of *Rousseau*,
“ *Voltaire* and an imitative herd of Declaimers on
“ the science of Government, have been adopted
“ in preference to the practical, sober, and wise
“ lessons of the immortal *Montesquieu*.”

MOORE, Sir Thomas.

The *Reports* of Sir *Francis Moore*, temp. *Hen.*
VIII. Q. Eliz. and *K. James* were first published in
1663,

1663, and afterwards in 1675, by Sir *Geoffrey Palmer* without any additions, French, folio.

A MS. of this Reporter fairly written, is in the hands of Mr. *Brooke*, Compiler of the *Bibliotheca legum Angliæ*.—It is entitled *Ex libro Fran. Moore Mil. Servient. ad legem scripto propria manu ipsius*, and consists of Reports of Cases principally agreeing with those in print of this author, but to many of which a great number of references to authorities are added.

The Reports of Sir *Francis Moore* were abridged in English by *William Hughes*, Esq. and were printed in octavo, anno 1665.

MOORE, A.

The “*Reports*” of *A. Moore*, Esq. “*of Cases argued and determined in the Courts of Common Pleas, and Exchequer Chamber, and in the House of Lords, from Easter Term 36 Geo. III. to Hilary Term 37 Geo. III. inclusive,*” were printed in folio, anno 1800. These are usually bound up with 1 *Bos.* and *Pull.* and very improperly placed after their Reports of Trinity Term 39 *Geo. III.*

MOSELEY.

MOSELEY.

The “*Reports*” of *William Moseley, Esq.* “*of Cases in the Court of Chancery during the Time of Lord Chancellor King,*” were *first* printed anno 1744, in folio, at Dublin, (where the author died) and *secondly* in 1803, octavo.

The Case of *Whitworth v. Golding*, Mos. 192, being cited in *Rootham v. Dawson*, 3 Anstr. 861. Mr. Baron *Thompson* said that the authority of *Moseley’s* book of Reports was very small.

NATURA BREVIUM.

In the reign of *Edward III.* a book was published under this title which is now called “*Old Natura Brevium,*” to distinguish it from Sir *Anthony Fitzherbert’s* Treatise on the same subject written temp. *Hen. VIII.* It contains the writs then most in use, annexing to each a short comment concerning their nature, and the application of them, with their various properties, effects and consequences. *Reeves* (in his *Hist. Eng. Law* III.

152) says this work became a model to *Fitzherbert* in the framing of his own.

The printed copies which we have found of the *Old Natura Brevium* are as follow :

Without date we find the *Old Natura Brevium* printed by R. Pinson, for his Maistres of the Company of Strond Inne withoute Tempyll Barre off London, in small folio, and another by him in short folio, (no date.)

Also an *English* edition without date, printed in folio, by Redman, with additions and a frontispiece: Also another in *English*, without date, printed in octavo by H. Smyth, with additions, &c.

Again we find an edition in folio *French*, printed by *Middleton* without date, but supposed to be about 1516.

In 1525 we find *Old Natura Brevium*, Old Tenures, Lyttleton's Tenures, new Tayles, Diversitie of Courtes, Justice of Peace, Chartuary, Court Baron, Court Hundrede, Retorna Brevium and Ordinance

Ordinance for taking fees in the Exchequer, printed in octavo, and the same book reprinted in the years 1532, 1534, 1538, 1553 and 1574.

Of the *French* editions (besides that printed by Middleton) we find eight in 12mo. viz. in 1525, 1528, 1529, 1531, 1557, 1572, 1580 and 1584.

By whom the *Old Natura Brevium* was rendered into *English* is not exactly ascertained, but probably it was by *Thomas Phayer*, he being mentioned by *Mr. Anthony Wood* (*Athen.V.1.*) as having written or translated "*The Nature of Writs;*" and we find in 1528, an *English Old Natura Brevium* newly corrected with divers additions, of Statutis, Booke Casis, Plees in Abatement of the sayd Wryttes, and theyre Declaracions and Barris to the same, &c. printed by R. Pinson in 16mo.

Other *English* editions have been printed in 12mo. viz. one in the year 1553, another in 1557.

And two *English* editions have been printed in octavo, viz. one by Redman in 1532, and another by Petyt in 1544.

We have already stated that the publication of the *Old Natura Brevium* is supposed to have laid the foundation of a *New Natura Brevium*, written by *Sir Anthony Fitzherbert* in the reign of *Hen. VIII.* Of that valuable work, no less than nine editions are admitted to have passed the press, though it is evident that many more copies have been printed, for in the years 1534, 1537, 1553, 1567, 1588, 1598, 1609, 1616 and 1635, this work was published in *French* and *Latin*, and in 1652 and 1718, the same was printed in octavo, with the Writs in *English*, and it is said that many editions were published between the two last mentioned periods, which differ but very little.

Again in 1730, the same was published in 4to. with the notes and references of *Sir Wadham Wyndham* and *Sir Matthew Hale*.

Again 1755 it was published in quarto, together with the authorities in Law, and Cases in the books of Reports cited in the margin by *Sir Wadham Wyndham J.* in B. R. anno 1660, and to this edition are added notes and illustrations in many doubtful

doubtful Cases by Sir *Matthew Hale*, with the Writs translated by Mr. *Serjeant Wilson*.

And lastly in 1794, an edition of the *New Natura Brevium* (called the ninth) was published in two volumes royal octavo, to which is added a Commentary, supposed to be written by the late Lord C. J. *Hale*, collated with the former editions and corrected, some notes and references added, and the Index considerably enlarged.

NELSON.

From the pen of *William Nelson*, Esq. we find “*An Abridgment of the Common Law*, with proper “Tables,” in three volumes folio, printed anno 1725, but he has abridged only Cases since those taken in *Fitzherbert* and *Brooke* and the *Year Books*, which he has treated as a Rhapsody of Antiquated Law.

Nelson's Abridgment is chiefly though very incorrectly copied from *Hughes*. Vide *Vin. Ab. Vol.* 13, *pref.*

Mr. *Nelson* was also an author of “*Reports of*”
 “*Special Cases in the Court of Chancery*, in the
 “reigns of King *Charles I. Charles II. and Wil-*
 “*liam III.*” none of which were ever before printed,
 octavo, 1717. *V. etiam* “*Reports temp. Finch*”
post.

NEWLAND.

In 1806, *John Newland*, Esq. published “*A*
 “*Treatise on Contracts within the Jurisdiction of*
 “*Courts of Equity*;” in which he treats of the
 parties to be bound by a Contract. Persons bound
 and not being parties. Persons not parties but
 beneficially interested. The consideration and
 failure of consideration. What contracts equity
 will execute. The contracts of a Husband touch-
 ing his Wife’s personal property. The certainty,
 mutuality, and objects of a Contract. Necessary
 proof of a Contract. Cases within and excepted
 out of the Statute of Frauds. Circumstances ob-
 jectionable to a specific performance. How far a
 plaintiff must perform his part with respect to the
 title, the time and his description of the property.
 Probability of plaintiff’s failure in the performance
 of

of his part, or where a change in the situation of one of the parties takes place. Performance and satisfaction of contracts. Judicial Sales. Decrees for specific performance. Relief in Equity against a legal right upon some matter appearing upon the face of the contract. Provision of a contract extended in equity beyond the legal construction. Contracts reformed in equity. Rescinded for actual fraud arising from facts, or apparent from the nature of the bargain, or from the condition of the parties. Contracts in fraud of Creditors, or of deeds of composition, or of Purchasers; or of Marriage agreements; or of marital rights. Contracts rescinded for mistake. Heirs dealing with their expectancies, and Sailors with their prize-money. Contracts between parent and child, guardian and ward, attorney and client. Contracts rescinded on account of the relative situation of a purchaser with respect to the subject of the contract. On account of the turpitude of the consideration. Relief against a contract on the principle of *Quia timet*. Confirmation of voidable contracts; and where equity will relieve against a purchaser with notice of a prior title. Octavo.

NISI PRIUS LAW.

Those writings which had for their immediate object the promulgation of the general rules and manner of proceeding, prescribed by the Courts in the conduct of causes falling under their cognizance, are but few, and consequently are easily enumerated.

Of these we shall first mention the “ *Theory of Evidence*,” published in octavo, and the *Institute of the Law of Trials at Nisi Prius*,” printed in seven parts, octavo; the former of which, exhibiting a scientific distribution and comprehensive system of the law of evidence, is generally understood to have been afterwards engrafted on the latter, and being considerably extended and enlarged by the addition of numerous authorities on the same subject; was published by the late learned Judge Sir *Francis Buller Bart.* under the more general title of “ *An Introduction to the Law relative to Trials at Nisi Prius.*”

Judge

Judge *Buller's* Law of *Nisi Prius*, has passed through six editions with occasional corrections and additions, the last of which was printed in 1793.

This Introduction was followed by the “*Institutes*” (of *Arthur Onslow, Esq.*) “*of the Law relative to Trials at Nisi Prius*,” originally published in 1760, and again in 1789, which were succeeded by a “*Digest of the Law of Actions, and Trials at Nisi Prius*,” by *Isaac Espinasse Esq.* first printed in 1789, secondly in 1793, and thirdly in 1798, with considerable corrections and additions from MS. Cases, in two volumes, octavo.

Thomas Peake, Esq. has also published several *Cases determined at Nisi Prius in B. R.* “*from Michaelmas 1790, to Michaelmas 1795, inclusive*,” royal octavo, anno 1795, and again in 1804.

And lastly (viz. in 1806) a very correct and ingenious work has appeared from the pen of

William Setwyn, Esq. under the title of “*An Abridgment of the Law of Nisi Prius.*”

Besides which “*A Synthesis of the Rules and Principles of the same Law deduced from the Authority of Adjudged Cases,*” is about to be published. Vide ante, nom. *R. W. Bridgman.*

N O L A N.

The “*Reports*” of *Michael Nolan, Esq.* “*of Cases relative to the Duty and Office of Justice of the Peace,* from Michaelmas, 1791, to Trinity, 1793,” were published in 1792 and 1793.

And in the year 1805 he published “*A Treatise of the Law for the Relief and Settlement of the Poor,*” in two volumes octavo.

N O Y.

The “*Reports*” of *Wm. Noy, Esq.* “*of Cases in the Time of Q. Eliz. K. James, and K. Charles, containing most excellent Matter of Exceptions to all manner of Declarations, Pleadings, and Demurrers,*”

“*Demurrers*,” were *first* printed in 1656, and *secondly* in 1669.

Twisden, J. rejected the authority of *Noy's Reports*, as being only an Abridgment of Cases by Serjeant *Size*, who, when a student, borrowed *Noy's Reports*, and abridged them for his own use. *Vide Freeman v. Barnes*, Vent. 81. *Freeman v. Barnes*, 2 Keb. 652. See also Mr. Justice *Buller's* Observations on this Reporter, ante, tit. *Comberbach*. And for a further account of this book, *Vide Harg. Co. Lit.* 54. a.

O R D.

“*An Essay on the Law of Usury*” has been twice published by *Mark Ord*, Esq. the second edition is dated in 1804. The author in this Treatise had proceeded to enquire, 1. What Contracts are usurious? 2. How far Usury affects the Validity of a Contract? and 3. How Usury is punishable?

O R M E.

“*A Practical Digest of the Election Laws*,” by *Robert Orme*, Esq. was published in 8vo. anno 1796.

O I W E N.

OWEN.

The "*Reports*" of Thomas Owen, Esq. "*in the King's Bench and Common Pleas*, in the Reign of Q. Eliz. and some few Cases in the Time of K. James," were printed in folio, anno 1656; and though there is a vacancy in the pages of this book from 77 to 80 inclusive, yet the book is perfect.

PALMER.

The "*Reports*" of Sir Geoffrey Palmer "*in the King's Bench* from 17 of Jac. I. to 4 Car. I. with "*Two Tables in French*," were printed but once, though they bear the different dates of 1678, 1688, and 1721, folio.

PARKER.

A subject important to the commercial interests of this country, and which had acquired a great tendency towards perfection, under the determinations of the venerable Earl of *Mansfield*, was first methodised by *James Allan Park*, Esq. who favored the mercantile and the professional world

world with his *System of the Law of Marine Insurance, Insurance on Bottomry, on Lives, and against Fire*, first in the year 1787, again in 1790, again in 1796, again in 1800, and lastly, with additions, in 1802.

PARKER.

The “*Reports*” of Sir Thomas Parker “*of Cases concerning the Revenue, argued and determined in the Court of Exchequer, from Easter Term 1743, to Hilary Term 1787, with an Appendix, containing Cases upon the same Subject in former Reigns, and two Tables, one of the Names of the Cases, and the other of principal Matters,*” were published anno 1776 in folio.

PARLIAMENTARY AND CONSTITUTIONAL LAW.

Among the various authors who have incidentally written on this subject, M. *De Lolme's Treatise of the English Constitution* has been much celebrated as a profound and ingenious investigation into the principles of our Constitution, and of its comparative advantage over all the other existing forms of government in Europe. It is said to be

be pursued with great sagacity and penetration, and with a considerable portion of knowledge of our laws, which is the more worthy of notice, the author being a native and citizen of Geneva, and induced by a liberal spirit of enquiry, to undertake a task which he has executed greatly to his own credit, and to the general approbation. Vide also *Millar's Historical View of English Government*.

That branch of the Law of Parliament which comprehends the principles of its construction in the assembling of its constituent parts, is very learnedly illustrated in the publication of the *Commentary on the King's Writ for electing Members of Parliament*, written in times of great enquiry into the contents of legal records, by *Bulstrode Whitlocke*, who appears to have possessed from his master (*Coke*) a great fund of this branch of learning; and who, it is observed, in a Comment upon a dry and confined Text, conducts the reader to the deepest recesses of law and antiquity.

The Law of Parliament respecting the election of Members of the House of Commons, as contained

tained in the principles of the determinations of that House upon the Cases of Controverted Elections, which forms a very essential portion of the jurisdiction of that part of the Legislature, has been of late years illustrated by several publications; in particular, the Cases reported by Serjeant *Glanville*, Speaker of the House of Commons, temp. *Jac.* I. and Chairman of a Committee appointed to determine Controverted Elections, contain, in the determinations which took place on that occasion, much valuable and authentic information on this topic of legal learning, which was until within these few years very little cultivated.

The publication of the Cases and Determinations on the same subject, by *Silvester Douglas*, Esq. (now Lord *Glenbervie*) is also esteemed a valuable source of information on this branch of law, and has led the way to several other productions, illustrative of the same object, particularly a *Collection of Cases* by *Alexander Luder*, Esq. subsequent to those of Mr. *Douglas* and Mr. *John Philips's Case of Election*, which with several other publications of proceedings in Cases of particular Elections, and of the Book of Reference to the Authorities of former

former Determinations have thrown a great light upon this subject, and will, it is presumed, tend very much towards defining the law, and obviating future difficulties on this much litigated topic.

The more general Law of Parliament, respecting the regulations adopted in the process of the public business, and for ascertaining the privileges of the Members, particularly of the Lower House of Parliament, is very much illustrated, and the several precedents of Rules, Orders, and Determinations of that House, on those heads, are arranged and digested under their proper titles and divisions in Mr. *John Hattsell's* publications of *Cases of Privilege*, and *Precedents of Proceedings in the House of Commons*; the whole being further elucidated, and rendered more interesting, by occasional passages of History of the times and circumstances introductory of new regulations, respecting those important objects.

The history of the proceedings of both Houses of Parliament, during the present reign, are recorded in several voluminous publications; the advantages of which sources of information and
instruction

instruction are greatly promoted by the general communication which has lately been made, through the munificence of Parliament, in the publication of the *Journals of the Proceedings of the House of Commons*, which are now extant in print from the earliest period of which any records remain, nearly to the present time. This voluminous Collection affords ample sources of evidence of the grounds of former proceedings, and of authority for regulating the future practice of that authoritative Assembly, and will therefore, it is presumed, ultimately tend very beneficially towards fixing the constitution and legal limits of the jurisdiction, privileges, and respective authority of the several component parts of our Legislature.

The House of Lords has also, with equal advantage to the community, laid open the treasures of its records, which are the more highly interesting as they contain memorials of judicial proceedings formerly incident to this branch of our Constitution, with many evidences of enacted laws, of which no other authentic documents are now remaining; these are more particularly contained in that part of these valuable communications which
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are entitled *The Rolls of Parliament*: to these succeed, in order of time, what are more properly entitled *Journals of the House of Lords*, which are brought down to the year 1802.

In addition to these estimable communications to the public, the House of Lords of late years has ordered a *fac simile* publication to be made of that venerable record and repository of the evidences of the greater part of the real property of the kingdom, DOMESDAY BOOK, by which it is reasonable to expect that the subjects of our local history and antiquities, as well as of the legal tenures of those who are in the enjoyment of landed property, will be very greatly promoted and illustrated.

It may not be irrelevant to notice in this place the several assistances to the use of the foregoing authentic and invaluable materials, and the means of reference to their valuable contents. Indexes have already been made of the subject matter of the greater part of the *Journals of the House of Commons*, by several gentlemen appointed to that office by the authority of that House, but nothing of this nature has been effected towards the use of
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the *Rolls of Parliament*, and *Lords' Journals* (which was a subject of great regret in the mind of the late Sir *William Blackstone*); perhaps, however, the obsoleteness of the language in which the former are written, and which stands very much in need of some aid towards a proper use of the information contained in them, has deterred every man of sufficient ability from undertaking so arduous a task. Mr. *Kelham* indeed has somewhat eased the labour by a publication of his *Dictionary of the Norman Language*, which he compiled in a great degree from those Records and other antient Law writers. *Brooke's Bibl. Leg. Ang.* p. II. 246, 250.

“ *Modus tenendi Parliamentum in Anglia.*”—The work under this title so frequently mentioned in our Law Books, and the subject of much controversy, is not extant in print; it was held of very high authority by Lord *Coke*, who in *Pref.* to 9 *Rep.* gives this full description of it: *Modus tenendi Parliamentum, hic describitur modus quomodo Parliamentum Regis Angliæ, Anglicorum suorum tenebatur tempore Edwardi filii Regis Ethelredi; qui quidam modus fuit per discretiores*

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regni,

regni, coram Willelmo duce Normandiæ et Conquestore et rege Angliæ ipso Conquestore hoc precipiente et per ipsum approbat. et suis temporibus usitat. The authority of this is never doubted by Lord *Coke*, who says, certain it is that this *Modus* was rehearsed and declared before the Conqueror at the time of his conquest, and by him approved for England; vide 4 *Inst.* 12. The antiquity of it however is denied by *Selden*, in his *Titles of Honour*, p. 610, &c. as not older than the reign of *Edw.* III. and still further by *Prynne*, who contends it is not prior to 31 *Hen.* VI. Vide *Animadv. on 4 Inst.* 6. 331; see also *Nicholson's Eng. Hist. Libr.* quarto, 156, and *Harg. Co. Lit.* 69. b.

“ *Modus tenendi Parliamentum in Hibernia*” was first published in Latin, in 1692 (12mo.), with Bishop *Dopping's* Preface in vindication of its authenticity; and secondly in 1772 (octavo), with the Bishop's Preface, and the Rules and Customs of the House, gathered out of the Journal Books from the time of *Edw.* VI. This is but a transcript of the preceding *Modus*; and for an account of it, besides the foregoing references, see
Molyn.

Molyn. Ca. of Ireland, p. 22, and *Nicholson's Irish Hist. Libr.* quarto, p. 50.

The “ *Prerogative of Parliaments in England* “ *proved in a Dialogue between a Counsellor and a* “ *Justice of Peace*” was written by Sir *Walter Raleigh*, when a prisoner in the Tower, and was published and dedicated to K. *James*, A. D. 1610, quarto; again published in 1628, and again in 1640. It was afterwards reprinted in *Harl. Miscel.* Vol. V. p. 180. Vide etiam, *Catal. of Pamphl. in Harl. Libr.* n. 287.

In 1642 “ *A Discourse concerning the Success* “ *of former Parliaments*” was published, and reprinted in 6 *Harl. Miscel.* 377, from a copy on which Sir *S. D'Ewes* had observed, that it was a notable piece.

In 1649, and again 1682, were published, the “ *Rights of the Kingdom, or Customs of our An-* “ *cestors, touching the Duty, Power, Election, or* “ *Succession of our Kings and Parliaments, &c.*” with a Preface by Sir *Ralph Sadler*. The first of these was answered by Sir *Roger L'Estrange* in

1681, in a pamphlet entitled "*A Word concerning Libels and Libellers*," and in the latter edition the Preface is omitted. Mr. *Locke* (Remains, octavo, 1720, p. 238) recommends this work, as containing the ancient constitution of the government of England.

In 1660 "*The Manner of Holding Parliaments*" was published by *Henry Elsynge*, Clerk of the House of Commons; again in 1662, 1663, 1675, and 1679, 12mo.; and lastly, in 1768, an improved edition of this work from the author's own MS. was published by Mr. *Tyrwhit*, entitled "*Ancient Method and Manner of Holding Parliaments*," octavo. Under the name of Mr. *Elsynge* was also published, in 1685, four tracts, entitled "*Miscellanea Parliamentaria*." Vide *Harl. Miscel.* V. 210.

"*Howell's Preheminence and Pedigree of Parliament*" was also published in 1677, and reprinted in *Harl. Miscel.* I. 34, of which a *Vindication* was printed in quarto, anno 1677, and reprinted in *Harl. Miscel.* VI. 115.

PARLIAMENTARY CASES.

The Cases determined in the last Resort in the High Court of Parliament upon Appeals, which from their great importance and authority had been much a desideratum in the Lawyer's Library, have of late years been selected and brought forward into more general acquaintance and use, out of the very loose and undigested form in which they long remained; these publications contain the important information of a great number of Cases in which the decisions of the Courts below have been established; and of such others as have been reversed, and consequently not to be relied upon as authorities, however they may stand undistinguished in the several collections of the prior determinations of those Courts. This laborious service was first begun by Sir *Bartholomew Shower*, whose collection and publication brought upon him the censure of the Lords; their Lordships considering it as an infringement upon the privileges of their House. It was next undertaken by Mr. *Josiah Brown*, whose collection comprehends the period from 1701 to 1779, and was printed in 1779, in seven volumes folio. These Reports were fol-

lowed by those of Mr. *Richard Colles* (printed in *Dublin* in 1789), which take in the Cases from 1697 to 1709, upon Appeals and Writs of Error in Parliament. These, though for the greatest part anterior in point of time to Mr. *Brown's* Collection, are called a Supplemental Volume to his Parliamentary Reports. The Reports of Mr. *Brown* have been lately reprinted (viz. in 1803) in eight volumes royal octavo, and are edited by the industrious hand of *Thomas Edlyne Tomlins*, Esq. who has continued them to the year 1800, with Notes, and a valuable Appendix, forming the eighth volume, in which the editor has published a very useful Table, enabling his readers to refer with great ease to either edition of *Brown's Parliamentary Cases*. Mr. *Tomlins* has also shewn great judgment in his mode of arrangement, and has adopted the method used by Mr. *Colles*, of placing the substance of each Case at the head; a practice since followed by *John Prince Smith*, Esq. in his Reports, and which we hope, from its great utility, will become general. Vide ante, nom. *Brown and Colles*; et post, nom. *Shower*. Vide etiam, for the Reports of Cases adjudged in the *Irish Parliament*, post, nom. *Ridgeway*.

PEAKE.

PEAKE.

In the year 1795, *Thomas Peake*, Esq. published certain “*Cases determined at Nisi Prius in the Court of King’s Bench*, from Easter Term 30 *Geo.* III. to Michaelmas Term 35 *Geo.* III. royal octavo.

And in 1802, *Mr. Peake* published a very useful and enlightened “*Compendium of the Law of Evidence*,” in octavo.

A *second* edition of which was printed with additions in 1804; and in 1806, a *second* part was published, containing the proofs required in those Cases which most ordinarily occur at *Nisi Prius*.

PECKWELL.

The “*Reports*” of *Robert Henry Peckwell*, Esq. of *Cases of Controverted Elections in the second Parliament of the United Kingdom*,” was published in octavo, anno 1805 and 1806, vol. 1. only.

PETTYT.

In 1680, *William Pettyt*, Esq. asserted the “*Antient Rights of the Commons of England*,” in a discourse proving by Records, &c. that they were ever an essential part of Parliament,” octavo. Which publication gave rise to a controversy producing, first,

“*Jani Anglorum Facies nova*, “or several Monuments of Antiquity touching the great Councils of this Kingdom and the Courts of the King’s immediate Tenants and Officers,” octavo 1680; said to be written by Mr. *Atwood*. Secondly,

“*A full Answer to a Book written by William Pettyt*, Esq. with a true account of the famous Colloquium, or Parliament 40 *Hen. III.* and a Glossary expounding some few words in antient Records, together with some Animadversions on a Book called *Jani Anglorum facies nova*,” octavo 1681. Thirdly,

“*Jus Anglorum ab Antiquo*, or a Confutation of
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“ an impotent libel against the Government by
 “ King, Lords and Commons, under the pretence of
 “ answering Mr. *Pettyt* and the author of *Jani*
 “ *Anglorum facies nova*,” octavo 1681. Fourthly,

“ *Argumentum Antinormanicum*, or an Argu-
 “ ment proving from antient Histories and Records
 “ that *William* Duke of Normandy made no
 “ absolute conquest in England,” octavo 1682.
 This is thought by Doctor *Brady* to be also writ-
 ten by Mr. *Atwood*. V. Nicholson’s *Eng. Hist.*
Libr. But by others it is attributed to Mr. *Cooke*,
V. Tyrrel Bibl. Pol. and *Gregor’s Notes on Fortesc.*
de Laud. Leg. Angl. To this an answer afterwards
 appeared by the principal champion in the dispute,
 Doctor *Robert Brady*, who collected all he had
 written on the occasion into,

“ *An Introduction to the Old English History*,”
 in three tracts. 1. An Answer to *Pettyt’s* Rights
 of the Commons asserted and to *Jani Anglorum*
facies nova. 2. An Answer to *Argumentum An-*
tinormanicum. 3. History of the Succession to
 the Crown of England, with an Appendix, contain-
 ing Records, Councils and Parliaments, and a Glos-
 sary

sary, folio 1684. By the same author the same subject was connected with

“ *An Historical Treatise of Cities and Burghs*
 “ *or Boroughs*, shewing the original and whence
 “ and from whom they received their Liberties,
 “ Privileges and Immunities, what they were, and
 “ what made and constituted a free Burgh and free
 “ Burgesses, as also when they first sent their
 “ representatives to Parliament,” folio 1704, 1711,
 octavo, 1777.

In 1680, 1681, Mr. *Pettyt* published his “ *Miscellanea Parliamentaria*,” containing—1. Of Freedom of arrests. 2. Of Censures, first upon such as have written books to the dishonor of the Government, secondly upon members for misdemeanors, thirdly upon persons not members for contempts, &c. and fourthly for misdemeanors in Elections; with an Appendix of several instances wherein the Kings of England consulted their Parliament in Marriages, Peace and War, &c. 12mo. Other collections were left by the same author upon the subject of the Law of Parliament,
 which

which after his death, were published under the title of

“ *Jus Parliamentarium*,” or the antient Power, Jurisdiction, Rights and Liberties of the most High Court of Parliament, revived and asserted, folio, anno 1739.

Mr. *Pettyt* also left a Summary or table of the Records kept in the Tower. V. *Catal. MSS. Ang.* II. 183. Likewise MSS. containing copies of Records and Law Matters, chiefly relating to naval concerns. V. *Catal. MSS. Ang.* II. 207, and other MSS. containing a great number of collections from Records and other authentic materials, chiefly relating to the Law and Constitution of England, which are preserved in the Inner Temple Library, and are much recommended to the notice of the English Lawyer and Historian by Mr. Justice *Barrington* in his *Obs. on the Stat.*

PIGOTT.

In 1739, *Nathaniel Pigott*, Esq. published “ *A Treatise of Common Recoveries, their nature*
“ *and*

“ *and use*, to which are added the Case of *Page v.*
 “ *Hayward* more fully reported than in any other
 “ book extant, and also a Case between the late
 “ *Earl of Derby* and the Coheirs of his elder
 “ Brother, with precedents for amending Recover-
 “ ries.”

A second edition of this work revised was corrected and printed, with some additional Cases, by Mr. Serjeant *Wilson*, in quarto, anno 1770.

Mr. *Pigott* also published in 1739, and again in 1742 (the same) from original MSS. “ *New Pre-*
 “ *cedents in Conveyancing*,” chiefly drawn by himself. Folio.

PLOWDEN, Edmund.

“ The *Commentaries or Reports*” of this author
 “ contain divers Cases upon matters of Law, argued
 “ and determined in the reigns of *Edward VI.*
 “ *Mary, Philip and Mary, and Eliz.*” These
 were originally written in French, and the editions
 of 1571, 1578, 1599, 1613 and 1684, were published
 in that language; but an English translation was
 published

published in 1761, considerably improved by many original notes and references to the antient and modern common Law books, to which are added the author's Queries.

Mr. *Ploeden* seems to have qualified himself for the task of reporting by a peculiar attention to the determination of the Courts, during a considerable number of years, which he had from his first entrance into the study of the Law, proposed to himself as an object of the first consequence in the pursuit of it, and by a constant perseverance in the method which he adopted in observing and recording the judgments of the Court, he acknowledges to have reaped much profit and instruction, which may readily be apprehended from the account given by himself of his manner of prosecuting this method of study. The Cases reported by this author were all important, upon demurrers in Law, abounding more copiously with matter of improvement, and being more capable of perfecting the judgment than arguments on other occasions. He has also inserted in many Cases entries of the pleadings therein, which the author recommends as more authentic than those usually contained in
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the books of entries, having been thoroughly sifted at the Bar, and on the Bench, and therefore more safe to be trusted to, and having in other respects bestowed infinite pains in constructing the report and the arguments with all possible attention to correctness and authenticity, in a more enlarged method than had been before adopted. This collection was by the author properly denominated his *Commentaries* or Reports, which distinction it has long maintained, and as a mark of eminence it has been most usually cited by Lord *Coke* and others as *Commentaries*, without any other addition.

Mr. *Barrington* styles *Plowden* the most accurate of all Reporters. *Obs. on 1 Ric. II.* And Mr. *Hargrave* (Co. Lit. 23 (a)) says it may be an useful hint to observe that the *English* edition of *Plowden's Commentaries*, which most deservedly bear as high a character as any book of Reports ever published in our Law, has a great number of additional references, and some notes, and that both of these are generally very pertinent and shew great industry and attention in the editor. See also, *Fulbeck's* Preparative to the study

study of the Law page 28, and *Preface* to 10 Rep. where it is said that what renders these Report more particularly valuable, is, that they were compiled principally for the improvement of Students. And equally so were the Reports of Lord *Coke*.

Mr. *Plowden's* "*Queries, or Moot Book for young Students,*" were methodized and enlarged by H. B. and published in 12mo. anno 1662. A Translation of them is also printed at the end of his *Commentaries*.

"*The Argument*" of Mr. *Plowden* before Sir *Robert Catline*, Chief Justice of England, and Sir *James Dyer*, Chief Justice of the Common Pleas, in the Case of *William Morgan et al. v. Sir Rice Manxell*, is also printed at the end of his *Commentaries*.

Plowden's Commentaries were abridged in French by T. A.—i. e. *Thomas Ashe*, in 12mo. without date, and again in English 12mo. in 1650 and 1659, by *Fabian Hicks*, Esq.

PLOWDEN, Francis.

In 1784, was published "*An Investigation of the native Rights of British Subjects*," to which was added an Appendix by *Francis Plowden, Esq.* octavo 1785. This work was principally written in relation to the Case of the Earl of *Newburgh*, a descendant of the Earl of *Derwentwater*.

Mr. *Plowden*, in 1789, printed his "*Impartial Thoughts upon the beneficial consequences of inrolling all Deeds, Wills and Codicils, affecting Lands, throughout England and Wales, including a Draft of a Bill proposed to be brought into Parliament for that purpose.*" Octavo.

In 1792 Mr. *Plowden* published his "*Jura Anglorum, or the Rights of Englishmen*," octavo.

In 1797, his "*Treatise upon the Law of Usury and Annuities*," octavo.

POLLXFEN.

POLLEXFEN.

Sir *Henry Pollexfen* in the year 1702 published
“ *Arguments and Reports of some special Cases in*
“ *the King’s Bench* from 22 to 36 Car. II. *with*
“ *some Cases in the Common Pleas, and Exchequer,*
“ *together with divers Decrees in the High Court*
“ *of Chancery, upon Limitations of Trusts of Terms*
“ *for years,*” with two Tables, folio.

The copies of *Pollexfen’s* Reports are very incorrect, varying in the pages, and in the dates, sometimes being printed in numerical letters thus MDCII. In the pages there is a chasm from 173. to 176, and from 181 to 184. Pages 649 and 652 are mistaken, and page 189 is repeated.

POPHAM.

The “ *Reports*” of Sir *John Popham*, from 34 to 39 Q. *Eliz.* were *first* printed in 1656, from Cases written with his own hand in French, and faithfully translated into English, and *secondly* in 1682, with some remarkable Cases reported by

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others

others since his death, from 15 *James I.* to 2 *Car. I.* Folio.

In *Fisher v. Wigg*, 1 Plo. 17, Lord *Holt* said that *Popham's Reports* were of no authority, and *Hyde* Chief Justice, in *Rex v. Starling*, 1 Keb. 676, after citing Sir *B. Hick's Case* out of *Popham* said " which I vouch, because I heard it, " and not for the authority of the book, which is " none."

POTTER.

" *A Treatise on the Law of Elections*, arranged " and laid down according to the Acts of Par- " liament relating thereto," by *John Potter*, Esq. was published in octavo, anno 1790.

POWELL.

John Joseph Powell, Esq. was the author of several useful and ingenious works.

In 1785 he published his *Law of Mortgages*, which was again printed with additions, in 1787,
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in one volume, octavo, and, lastly, in 1799, (greatly enlarged) in two volumes, octavo.

In 1787 his *Essay on the Learning respecting the Creation and Execution of Powers, and also respecting the Nature and Effect of leasing Powers*, was printed in octavo, and again, with the addition of modern determinations, in 1799, octavo.

In 1783 his *Essay on the Learning of Devises from their Inception by Writing to the Consummation by the Death of the Devisor*, was first printed in one volume, octavo, and, secondly, in 1807, in two volumes, octavo.

And in 1790 his *Essay on the Law of Contracts and Agreements* was published in two volumes, octavo.

In the *first* of the above-mentioned publications Mr. *Powell* has shewn us, “ the nature and origin
“ of mortgages, and next he has treated of the
“ possession of the thing mortgaged, and when it
“ ought to be given by the mortgagor to the mort-
“ gagee; what constitutes a mortgage of lands; of

“ the mortgagor and mortgagee; how a mortgage
“ is considered in equity; of the interest of the
“ mortgagor in the premises mortgaged; of the
“ estate of the mortgagee; of the obligation of a
“ mortgagor to see to the application of his pur-
“ chase money; of the equity of redemption, and
“ who may claim it; of the devise of a mortgage;
“ priority of incumbrance, and therein of the doc-
“ trine of tacking prior and latter securities; of
“ notice expressed or implied; of forfeited lands,
“ and to whom they shall belong; of a wife’s in-
“ terest in her husband’s mortgaged estate; of
“ mortgages made by the husband and wife, or by
“ the husband alone of his wife’s estate, and of his
“ interest in the mortgage money due; what fund
“ shall be applied to the redemption of a mortgage;
“ of the interest of money lent on mortgage; how
“ a mortgagee shall account; of the foreclosure,
“ and of matters relating to mortgages generally.”

In the *second*, Mr. *Powell* has treated “ of the
“ creation, nature, and execution of powers; by
“ whom, and by what instrument created; of
“ powers, with relation to the person by whom
“ they are to be executed, and with regard to the
“ civil or judicial qualification of such person;
“ with

“ with relation to the instrument under which they
“ are to be executed, and to the form of such in-
“ strument; with relation to the requisites attend-
“ ing the execution, including the consideration
“ and nature of the act to be effected by the exe-
“ cution, and the relative situations of the donor
“ and appointee; with relation also to some mat-
“ ters peculiar to powers of revocation; and, lastly,
“ of leasing powers, and powers generally.”

In the *third* publication Mr. *Powell* has treated
“ of the devise of lands at common law before the
“ statute of devises; of a devise under 32 and 34
“ *Hen. VIII.*; of interests and estates out of the
“ purview of the statute of wills; of the construc-
“ tion of the devising clause in the statute of
“ frauds; of the devisor, and of things devisable;
“ of the devisee; of a devise failing of effect; of
“ uncertainty or repugnancy apparent on the face
“ of a devise, and of other matters whereby the
“ effect of a devise may fail; of parol declarations
“ and averments; of revocations and republica-
“ tion; of the jurisdiction of courts in matters of
“ devise; and of proving a will both at law and in
“ equity.”

And in the *fourth* publication Mr. *Powell* has treated “ of the primitive state of property; of the
 “ assent to contracts or agreements, and the power
 “ residing in different persons, as moral agents, to
 “ bind themselves and others; of the subjects and
 “ general nature of contracts; of contracts considered as such in equity arising out of instruments, &c. having a different effect at law; of
 “ the consideration necessary to support a contract; of the interpretation of contracts; of dis-
 “ annulling, discharging, rescinding, waiving, or
 “ altering contracts; of the remedy to enforce
 “ agreements in law and equity; of the equitable
 “ jurisdiction in decreeing executory contracts,
 “ and in relieving against unreasonable agreements,
 “ and of the principles on which courts of equity
 “ refuse to interfere in cases of contracts or agreements.”

PRACTICAL REGISTER.

The Practical Register is mentioned by Lord *Hardwicke* in *Davis v. Davis*, 2 Atk. 22. as a book though not of authority yet better collected than most of its kind. *Milf. Treat. on Ch. Plead.* 7. (n).

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It has been lately republished (viz. in 1800) by *John Wyatt*, Esq. with the addition of all the modern cases and a copious index, and is indeed a most excellent and useful work. Octavo.

The Practical Register, or Abridgment of the Law, by *John Lilly*, Esq. is also a book of authority in matters of practice. *Dict. per Wright*, J. in *Herbert v. Williamson*, 1 Wils. 324. It was printed first in 1719, in two volumes; *secondly*, in 1735; *thirdly*, enlarged and continued by a supplement to 1744, and, *fourthly*, in 1745. Mr. *Lilly* also, in 1710, published a continuation of the *Practical Register*, by *William Styles*, but the editions of *Style*, which are referred to by *Comyns*, *Regula Placitandi*, &c. are those of 1657, and others preceding 1707.

The Practical Register in the Common Pleas contains select cases or determinations, in point of practice in that court, in the reigns of Q. *Anne*, K. *Geo. I.* and *Geo. II.* and was printed in octavo, anno 1743.

PRECEDENTS IN CHANCERY.

It is not generally known to whose hand the public are indebted for this valuable collection; Lord *Hardwicke*, however, said that as far as the year 1708 it was made by Mr. *Pooley*, and the remainder by Mr. *Robins*; the collection altogether comprehends reports of cases determined in Chancery from 1689 to 1722.

Several of the cases in this book are in the same words as *Gilbert's Reports in Chancery*, and are said by Mr. *Viner* to be the Reports of that great man Mr. *Pooley*; to whom Mr. *Viner* also ascribes the first volume of *Equity Cases abridged*. 5 *Vin. Ab.* 408. tit. *Consideration*. b. 17.

The impressions of this work are dated in 1733, 1747 and 1750, and are printed in folio; but in 1786 they were reprinted in royal octavo, with the advantages of marginal notes and references to the more modern authorities which have been founded upon, or which are relative to, the doctrines contained in these cases, by *Thomas Finch, Esq.* It is, however,

however, to be lamented, that Mr. *Finch* did not name the cases referred to, rather than adopt the too common and tedious mode of reference by figures only.

PREROGATIVE OF THE CROWN.

“ *A View of the English Constitution with respect to the Sovereign Authority of the Prince and the Allegiance of the Subject, in Vindication of the lawfulness of taking the Oaths to Her Majesty by Law required,*” was published by *William Higden*, M. A. in octavo, anno 1709, (being the second edition). And it was answered by

“ *The Hereditary Right of the Crown of England asserted, the History of the Succession since the Conquest cleared, and the true English Constitution vindicated*” from the misrepresentations of Dr. *Higden's View and Defence*, wherein some mistakes also of our common historians are rectified, and several particulars relating to the succession, and to the title of the House of *Suffolk*, are now first published from ancient records and original MSS. together with an authentic copy of the
will

will of *Hen. VIII.*, by a Gentleman. Folio, anno 1713. This work is commonly reputed to be written by Mr. *Arthur (Hilkiah) Bedford*, but in a copy of this work, with MS. notes by Bishop *Kennett*, in the library of the late *James West, Esq.* is the following note: “upon shewing the above notes wrote by Bishop Kennett to Mr. Harbin, he told me he was the author of the annexed book, and immediately produced the original copy of the same, together with three large volumes of original documents from whence the same was compiled. He was chaplain to Dr. Kennett, Bishop of Bath and Wells, and was the head of the clergy of the non-juring persuasion at that time, (in 1742.) A man of infinite knowledge and reading, but of a weak, prejudiced, and bigotted judgment.” “J. W.” Notwithstanding what is above related of the real author of this work, it is remarkable, that the reputed author, Mr. *Bedford*, in 1714, was tried in B. R. and fined 1000 marks, and imprisoned three years on the charge of writing the same. See further in *Nichols's Anecd. of Bowyer*, 630.

PRESTON.

Richard Preston, Esq. at a very early period of life put forth the first fruits of his juvenile industry and application by publishing "*An Elementary Treatise, by way of Essay, on the Quantity of Estates, &c.*" in which the author has given an incontrovertable proof of his learning, ability, and judgment. This excellent Treatise was printed in octavo, anno 1791.

In the year 1794 the same author favored us with another testimony of his intense application in "*A succinct View of the Rule in Shelly's Case,*" exhibiting by negative and affirmative Propositions the Instances in which several Limitations, one to the Ancestor, the other to the Heirs, the Heirs of the Body or Issue of the Body of that Person, do and do not give the Inheritance to the Ancestor." Octavo.

In 1797, Mr. *Preston* published his "*Tracts*" containing the Definition and Nature of cross Remainders, Fines, and Recoveries by Tenant in Tail;

“ Tail; the Difference between merger, remitter,
“ and extinguishment, estates executed, execu-
“ tory, vested, and contingent; Contingencies with
“ a double Aspect; the Succession by a Parent to
“ a Child, and the Language of Powers.” Octavo.

And in 1806 Mr. *Preston* published the first part of “ *A Treatise on Conveyancing*, with a View
“ to its Application to Practice, being a Series of
“ practical Observations (written in a plain fami-
“ liar Stile) which have for their Object to assist
“ in preparing Draughts, and in judging of the
“ Operation of Deeds, by distinguishing between
“ the formal and essential Parts of those Deeds,
“ &c. in general Use.” This the learned author assures us is the substance of a course of lectures delivered by him to his pupils, and which he has now offered to the profession at large, with an appendix of select and appropriate precedents, in hopes to afford that assistance to others, for which, at one period, he himself would have been extremely grateful. The subsequent part of this elaborate work we understand is in the press, and we shall be happy to see it made public.

PRYNNE.

PRYNNE, (William).

This very extraordinary man and great controversial writer, besides the publication of many works for which he suffered fines, imprisonments, pillory, and at length the loss of his ears, (See the *Biog. Notes to Lane's Linc. Inn Guide*, 2 ed.) wrote no less than thirteen law tracts and voluminous works, which may be denominated law books and classed as such.

In 1641 he published his “*Antipathy of the Lordly Prelacy*,” in quarto.

In 1643 his “*Opening of the Great Seale of England*; containing certain brief, historical, and legal Observations touching the original Antiquity, Progress, Use, and Necessity of the Great Seal of the Kings and Kingdoms of England, in Respect of Charters, Patents, Writs, Commissions and other Process, together with the King's, Kingdom's, Parliament's several interests in, and Power over the same, and over the Lord Chancellor, and the Lords and Keepers of it, both in
“ regard

“ regard of its new making, Custody, Administra-
 “ tion, for the better Administration, for the bet-
 “ ter Execution of public, the Republic’s necessary
 “ Safety and Utility ;” quarto.

Of the same date (1643) we find a second edi-
 tion of the author’s Tract on the “ *Treachery and*
 “ *Disloyalty of the Papists* to their Sovereigns, in
 “ Doctrine and Practice with the Sovereign Power
 “ of Parliaments and Kingdoms, wherein the
 “ Traitorous, Antimonarchical Doctrine and At-
 “ tempts of Papists upon the Crown’s Prerogative
 “ are briefly related ;” four parts, quarto.

In 1648 Mr. *Prynne* published his “ *Irenarches*
 “ *Redivivus*, or a Brief Collection of sundry use-
 “ ful and necessary Statutes and Petitions in Par-
 “ liament (not hitherto published in print, but ex-
 “ tant only in the Parliament Rolls), concerning
 “ the Necessity, Utility, Institution, Qualification,
 “ Jurisdiction, Office, Commission, Oath, and
 “ against the causeless clandestine discommis-
 “ sioning of Justices of Peace, fit to be publicly
 “ known, and observed in these reforming Times ;
 “ with some short Deductions from them, and a
 Tough

“ Touch of the Antiquity and Institution of As-
 “ sertors and Justices of Peace in other foreign
 “ Kingdoms, together with a full Refutation of
 “ Sir *Edward Coke*’s Assertion, and the commonly
 “ received erroneous Opinion of a Difference be-
 “ tween Ordinances and Acts of Parliament in
 “ former Ages, here clearly manifested to be then
 “ but one and the same, in all respects, and in
 “ point of the threefold Assent.” Quarto.

In 1649 we find the author’s “ *Jus Patronatus*,
 “ or a brief, legal, and rational Plea for Advow-
 “ sons and Patrons; Ancient, Lawful, Just, and
 “ Equitable Rights and Titles to present Incum-
 “ bents to Parish Churches or Vicarages upon
 “ Vacancies, &c.” Quarto; reprinted in 1654.

In 1649, the press also produced “ Mr. *Prynne*’s
 “ Speech in the House of Commons on the 4th of
 “ December, 1648, touching the King’s Answer to
 “ the Houses upon the whole Treaty, whether
 “ they were satisfactory, &c.” Quarto.

In 1654 and 1655 was published, “ *Prynne*’s
 “ *Seasonable, Legal, Historical, Vindication, and*
 “ *Chro-*

“ *Chronological Collection of good old Fundamental*
 “ *Liberties, Franchises, Rights, and Laws of all*
 “ *English Freemen, &c. evinced by Parliamentary*
 “ *Records, &c.;*” two parts, quarto. The same
 book appeared in 1679, with a new title only.

In 1658 were published, “ *Prynne’s Argument*
 “ (B. R. 20 Car.) *in the Case of Lord Connor Mag-*
 “ *wise, Baron of Inneskelling in Ireland, the Chief*
 “ *Contriver of the late Irish Massacre, &c.*” 4to.
 This is also printed in VIII. *State Trials*, 342. See
Catal. of Pamphl. in Hart. Lib. n. 328.

In the same year (1658) we find the author’s
 “ *Plea for the House of Peers, or a full Vindica-*
 “ *tion of the Just, Ancient, and Hereditary Right*
 “ *of the Lords and Barons of this Realm to sit and*
 “ *judge in all the Parliaments of England,*” quarto.
 This book also appeared again in 1675, with a new
 title page only.

In 1659, 1660, 1662, and 1664, Mr. *Prynne*
 published a “ *Kalendar and Survey of the several*
 “ *Kinds and Forms of Parliamentary Writs;*” four
 parts, quarto.

The

The years 1665, 1666, and 1667, however, were more favored by this author, who then published that scarce and valuable work, called "*Prynne's Records*," which contain "an Exact Chronological Vindication and Historical Demonstration of our British, Roman, Saxon, Danish, and Norman English King's Supreme Ecclesiastical Jurisdiction in and over all Spiritual or Religious Affairs, Causes, Persons, as well as Temporal, within the Realms of England, Scotland, Ireland, and other Dominions, from the original Planting and Embracing Christian Religion therein, and Reign of Lucius, our first Christian King, to the end of the Reign of Q. *Eliz.* in 3 volumes folio. The industrious author of these Records proposed to have carried on this work agreeable to the title page, down to the Reign of Q. *Eliz.* but he did not live to complete his design.

The *first* volume (though not first printed) has a large frontispiece, in which the author appears presenting his book to K. *Charles* II. and the Pope with his mitre falling, &c. with a great number of other figures, which are all described and explained: then follows a Dedication to His Majesty,

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wherein

wherein he gratefully takes notice of his conferring on him, without his solicitation, the Office of Keeper of the Records in the Tower, with an honorary pension, which as also His Majesty's encouragement and that of some Honorable Lords engaged him to the Herculean task of these sheets. This volume begins at the first planting of Christianity in this island, and ends with the reign of *Ric. I.* chiefly consisting of historical and other collections, together with some characters of our Kings never published before.

The *second* volume, which was first published, is dedicated to the Earl of *Clarendon*, who was a principal encourager of this valuable work. In it he continues the story and precedents from *Ric. I.* down to the death of *Hen. III.* shewing from many records, patents, and historical testimonies, that during this period our Kings claimed and exercised supreme jurisdiction in all ecclesiastical affairs in *England* and *Ireland*. Most of the printed copies of these two former volumes were consumed by the great Fire of *London* in 1666, not above seventy of them being rescued from the flames (of the second volume it is said only twenty-three copies were saved),

saved), which has rendered them so exceedingly scarce, that a complete set has been sold for 30*l*.

The *third* volume dedicated to the Earl of *Anglesey*, Sir *Harbottle Grimstone*, Sir *Matthew Hale*, &c. the Worshipful Readers of *Lincoln's Inn*, begins with a long list of records of K. *John* and *Hen. III.* which is called an Appendix to the second volume; and then follow the like precedents in the reign of the renowned *Edw. III.* from all which collections the author shews, that though the Pope, *English* Clergy, and *Scotch* Nobility usurped the rights of these three Kings, they defended themselves against such perfidious encroachments. This third volume, Bishop *Nicholson* affirms, has enough (in all conscience) to satisfy any reasonable reader, and supersede his enquiry into the state of the case in either former or following ages. *Eng. Hist. Lib.*

An account of this voluminous author, and a Catalogue of his works (in number near 200, which are deposited in *Lincoln's Inn Library*) are to be found in *Wood's Ath. Oxon.* It is much to be lamented, that the frontispiece to *Prynne's Records*

(before described) has been disgracefully purloined from the Library in *Lincoln's Inn*.

In 1668 the author published his "*Aurum Reginae*, being a Tractate of Queen Gold, with Records concerning our Gold and Silver Mines, and Four Patents of K. *Hen. VI.* for finding the Philosopher's Stone, to satisfy all the Creditors of the King and Kingdom in a few Years, &c. with an additional Appendix;" quarto. In this work, p. 123, Mr. *Prynne* has quoted a Treatise on the same subject by Mr. *Hakewell*, where the Preface and Chapters are recited under the title of "Treatise on the Nature of *Aurum Reginae*, containing the Transcript of divers Rolls produced in proof of several Points thereof, to be viewed by His Most Excellent Majesty, collected and disposed under certain divisions, 1605, MS."—The first part of this Treatise is extant among *Glynne's MSS.* Vide *Catal. MSS. Ang.* V. 2. n. 1945.

Lastly we find in print, anno 1669, Mr. *Prynne's* "*Brief Animadversions on, Amendments of, and additional Explanatory Records to the fourth*
" *part*

“ *part of the Institutes of the Laws of England,*
“ concerning the Jurisdiction of Courts, compiled
“ by the late Sir *Edward Coke*, Knt. wherein the
“ Misquotations, Mistakes of Records are rectified,
“ and many Omissions supplied, especially such as
“ relate to the Members of the High Courts of
“ Parliament, &c.” Folio.

PUFFENDORFF.

To the Baron *Samuel de Puffendorff* his posterity are indebted for a learned “ *Treatise on the Law of Nature and Nations*,” which was translated by *Kennet*, and published first in 1703, again in 1710, again in 1717, again in 1729, and lastly (with all the large Notes and Prefatory Discourse of *M. Barbeyrac*, translated by Mr. *Carew*) in 1749; folio.

RASTELL.

This industrious family being alternately Lawyers and Printers, have ushered several useful publications into the world.

Mr. *John Rastell*, in 1517, published his *Tables to Fitzh. Abr.* in folio, which he printed himself; and in 1565 they were reprinted by *R. Tottel*.—Mr. *Rastell* also, according to *Ames*, had some concern in first printing *Fitzherbert's Abridgment*, and he composed a Table to the *Book of Assizes*, which is printed with the latter editions of that work.

In 1527 we find “ *An Exposition of Law Terms and the Nature of Writs, with divers Cases and Rules of the Law*, collected as well from Books of Master *Littleton*, as other Law Books;” printed in small octavo by *J. Rastell*, and again by him in French and English, folio, without date. This work appears to have been originally not only printed, but composed by *J. Rastell*, both in French and English, notwithstanding the conjecture that has been formed in favor of his son *William*, by Lord *Coke* and others, as author or translator of it. Those who desire to search further into this subject, will find it satisfactorily discussed in *I Ames*, 331. It is observable of *John Rastell*, who was brother-in-law to the great Sir *Thomas More*, that he quitted the profession of the law for
that

that of printing, as his son *William Rastell* that of printing for the law, in which he arrived at the dignity of a Judge in C. B. in 1 *Mary*. There was also another son of the above learned printer, who inherited his name of *John*, and who having been a Justice of the Peace was commonly called Mr. *Justice Rastell*.

The stile of *Justice Rastell*, however, was not confined to him alone, for it was also bestowed (and with much greater propriety) on his brother *William*, who (as we have before observed) was a Judge in C. B. in 1 *Mary*, and was also a Judge in B. R. in 6 *Phil. and Mary* and 1 *Eliz.* It was he who abridged the Statutes then in force, and whose Abridgment, as well as his edition of the Statutes at large, we shall notice under tit. *Statute Law*.

In 1558 *Rastell's* "*Tables of the Years of our Lord God, and of the Kings, in opposite Columns*" were printed by *J. Walley*; again in 1562; again, by *W. Rastell*, in 1563; again in 1565; again, by *W. Powell*, in 1567; again in 1571 and 1576; and lastly in 1639; octavo.

In 1566 we find the “ *Entries of Declarations, Bars, Replications, Rejoinders, Issues, Verdicts, Judgments, Executions, Process, Continuances, Essoins, and divers other Matters,*” printed by Tottel, in folio, who seems to have printed another edition in quarto; and another is mentioned in I *Ames*, 475, but differently described. *Rastell’s* Entries were also printed by *J. Yetsweirt* in 1596, and they were again printed in 1670 newly amended and enlarged. This book is by some authors quoted as *New Book of Entries*. Vide *Cowell’s Dict.* verb. *Rastell*, but commonly called (says *Townshend*) *Old Book of Entries*, and, by *Rolle*, *Antient Entries*. The author, in his Preface, tells the reader that his Collection is chiefly compiled from—1. The Old Book of Entries; 2. A Book of Precedents written by Master *Edward Stubbes*, one of the Prothonotaries in the Common Pleas; 3. A Book of Precedents gathered by *John Lucas*, Secondary to Master *William Roper*, Prothonotarie of the King’s Bench; 4. A Book of good Precedents of his Grandfather Sir *John More* (Father of Sir *Thomas More*), one of the Justices of K. B. but not of his collection, all which he had incorporated in this volume.

RAYMOND,

RAYMOND, Lord.

The “*Reports*” of Lord Robert Raymond “of Cases in the Courts of King’s Bench and Common Pleas, in the reigns of K. Will. III. Q. Anne, K. Geo. I. and Geo. II.” were *first* printed in 1743; *secondly* in 1765, two volumes, folio; *thirdly* with the Entries of Pleadings, translated and published by George Wilson, Esq. and with many corrections and additional references to former and later Reports, anno 1775, three volumes folio; and *fourthly* corrected with marginal notes and additional references by John Bayley, Esq. Serjeant at Law, anno 1790, three volumes octavo.

Lord Raymond’s Entries, translated by Mr. Serjeant Wilson, were published separately, in 1765, folio.

RAYMOND, Sir Thomas.

The “*Reports*” of Sir Thomas Raymond, “of divers special Cases in the Court of King’s Bench, Common Pleas and Exchequer, from 12 to 35 Car. II.” were *first* printed in 1696. *Secondly* in 1743, folio, and *thirdly* in 1803, octavo.

REEVES.

REEVES.

The History of the English Law, from the time of the Saxons, to the reign of *Hen. VII.* was *first* published by *John Reeves*, Esq. in two volumes quarto, *anno* 1783, 1784, and afterwards a *second* edition was brought down to the end of *Philip and Mary*, and published in 1787, four volumes, octavo.

This work contains a full state of the ancient Laws and Judicature of this Kingdom, and an historical deduction of the various changes made therein by the legislature and the determinations of the Courts; it is divided into reigns; in each reign there is a history of the changes made in the Law, whether Common or Ecclesiastical, by the legislature and the Courts; after which there is a sketch of the Government, a character of the Law Tracts, Reports, and Records, and a recital of such incidents respecting the Law, as happened during the reign, thus exhibiting both the external and internal History of the Law of the Realm. On account of the various discussions to be found in this work, upon points of old Law, the nature of Writs
and

and real actions, it is recommended to the perusal of Students after *Blackstone's Commentaries*, and before they enter upon *Coke upon Littleton*, to which this may be considered as a preparation and introduction. *Worr. Bibl. Leg. Angl.* 217.

In 1792, Mr. Reeves published his “ *History of the Law of Shipping and Navigation.* Octavo.

In 1793 his “ *History of the Island of Newfoundland*, with an Appendix, containing all the “ Acts of Parliament, made respecting the Trade “ and Fishery,” octavo.

In 1800, Mr. Reeves published his “ *Impartial Thoughts on the English Government*, addressed “ to the quiet good sense of the people of Eng- “ land,” in four parts, octavo.

And in 1801, his “ *Considerations on the Coro- nation Oath*, to maintain the Protestant reform- “ ed Religion, and the settlement of the Church “ of England, as prescribed by 1 W. and M. C. 6. “ and 5 Ann. C. 8.” Octavo.

REPORTS TEMP. HARDWICKE.

“ *Reports of Cases argued and determined in the*
“ *King’s Bench and Chancery*, during the time in
“ which Lord *Hardwicke* presided in those Courts,
“ collected from a MS. never before printed,”
(with notes) by William Ridgway, Esq. an eminent
Barrister in Ireland, and author of *Cases in Par-*
liament, was printed in Dublin, anno 1794, octavo.
For other Reports of Cases temp. *Hardwicke* see
Cases in temp. Hardwicke ante.

REPORTS IN CHANCERY.

“ *Reports of Cases in the Court of Chancery*,
“ in the reigns of King *Charles I. Charles II.*
“ *James II. William III.* and Queen *Anne*, being
“ special Cases, and most of them decreed with
“ the assistance of the Judges,” were *first* publish-
ed in two volumes, anno 1697; *secondly* in three
volumes octavo, annis 1715 and 1716; and *thirdly*,
with many additional references in folio, anno
1736.

REPORTS OF CROWN CASES.

From 20 *Geo.* II. 1746, to the end of his reign.
Vide "*Foster*," ante.

REPORTS AND CASES OF PRACTICE.

" Reports and Cases of Practice *in the Court of*
" *Common Pleas*, in the reigns of *Q. Anne*, *K.*
" *Geo.* I. and *Geo.* II. together with the Rules,
" Orders and Notices in the said Court, from
" 35 *Hen.* VI. and in the *King's Bench*, from
" 2 *Jac.* I. to the present time, by a late eminent
" hand," viz. *Sir George Cooke*, were *first* publish-
ed anno 1742, folio, and *secondly* in two volumes,
octavo, anno 1747.

REPORTS TEMP. HOLT.

" *The Reports of all the Cases determined by Sir*
" *John Holt*, from 1681 to 1710, containing many
" Cases never before printed, were taken from an
" original MS. of *Thomas Farresley*, Esq. also seve-
" ral Cases in Chancery, and the Exchequer Cham-
" ber," were published in folio, anno 1738, vide
1 *Wils.* 15.

REPORTS

REPORTS TEMP. Q. ANNE.

See 11 *Modern Reports*, ante.

REPORTS CONCERNING ATTORNIES.

“ A Report of the Proceedings between the
“ City of London and the Attornies, respecting
“ the Freedom of the City,” was printed in quarto,
“ anno 1768.”

REPORT OF ASSIZES AT YORK.

“ The Reports of Pleas of Assize at York, with
“ some Precedents useful for Pleaders in English,”
were published in 1651, by *John Clayton*, Esq. as
may be seen at the end of the dedication. 12mo.

REPORTS TEMP. FINCH.

“ Reports of Cases in Chancery, from 25 to 33
“ *Car.* II. during the time Sir *Heneage Finch*
“ was Lord Chancellor, in many of which Cases he
“ was assisted by some of the Judges of the Com-
“ mon Law,” were published in folio, anno 1725.
Vide *Reynish v. Martin*, 3 Atk. 334. *Elton v. Elton*,
1 Wils. 162.

The

The preface to these Reports, is signed W. N.
i. e. *William Nelson*.

REPORTS OF CASES IN CHANCERY & KING'S BENCH.

See "*William Kelynge*," ante.

REPORTS TEMP. HARDWICKE, PER ANNALY.

See "*Cases in B. R. temp. Hardwicke*," ante.

RIDGWAY.

The "*Reports*" of *William Ridgway*, Esq. "*of Cases upon Appeals and Writs of Error in the High Court of Parliament in Ireland*, from 1784 to 1796," were published in three volumes octavo, in Dublin, anno 1795, to 1798. We are credibly informed that the learned author proposes shortly to publish a fourth volume, and thereby to continue this valuable collection of Cases to the time of the Union.

ROBERTS.

In 1780, was published in octavo, by *William Roberts*, Esq. "*A Treatise on the Construction of*
" *the*

" *the Statutes, 13 Eliz. c. 5. and 27 Eliz. c. 4.*" relating to voluntary or fraudulent Conveyances, and on the nature and force of different considerations to support Deeds and other legal Instruments in the Courts of Law and Equity.

ROBINSON.

The "*Report*" of Doctor *Christopher Robinson*, "*of the Judgment of the High Court of Admiralty on the Swedish Convoy*, pronounced by the "*Right Hon. Sir William Scott* on 11 June 1799," was published in the same year, in octavo.

And in the same year, the learned Civilian began to publish his "*Reports of Cases argued and determined in the High Court of Admiralty*," commencing with the Judgments of Sir *William Scott* in Michaelmas Term 1798, and continuing the same to the end of the year 1805; the whole forming four volumes, in royal octavo, and two parts of a fifth volume.

ROLLE.

ROLLE.

“ The Reports of Sir *Henry Rolle*, in the King’s “ Bench, from 12 to 22 *Jac. I.*” in two volumes folio, French, as well as his other learned works, are held in great repute, from the character the author obtained in the exercise of his Office as a Judge during the Common Wealth.

Besides the Reports above mentioned, which were printed in 1675, Sir *Henry Rolle* wrote an “ Abridgment of Cases, and Resolutions of the “ Law,” in French, which was published in 1668, by Sir *Matthew Hale*, with a learned English Preface, addressed to the young Students in the Law of England, in which Abridgment, the more obsolete Titles in *Fitzherbert* and *Brooke*, are omitted, but besides the printed books extant in Lord *Rolle*’s time, it abridges many of the Parliament Rolls and other authentic Records, and contains many Cases that came under the author’s own observation, when he was Chief Justice of the King’s Bench (during the usurpation) which are not otherwise reported. Mr. *Hargrave* mentions this work, as excellent in its kind (*Co. Lit. 9.a. notis*)

and in point of method, succinctness, legal precision, and many other respects fit to be proposed as an example for other Abridgments of the Law. *D'Anvers* and *Viner* were so sensible of this, that they both adopted Lord *Rolle's* method, in fact *D'Anvers* Abridgment, so far as it goes, is translated from that of Lord *Rolle*.

SAINT GERMAN.

The very valuable work, which bears the title of “*Doctor and Student, or Dialogues between a Doctor of Divinity, and a Student in the Laws of England, concerning the Grounds of those Laws,*” is universally allowed to be the production of *Christopher St. German*. It has been many times printed.

First in 12mo. Latin, by J. Rastell, cum priv. ann. 1523, 1528.

Next, Dialogue I. with additions by R. Wyer, no date, and Dialogue II. by P. Trevers in 1531, with a little Treatise called the new additions treating of the Power of Parliament, and the Spiritual

tual Jurisdiction, printed by Berthelet in 1531, and the same year, by R. Redman, bound together with figures.

Then in 12mo. Lat. with the Life of the author, by *Bale*, printed anno 1539, by T. Wright.

Afterwards in 12mo. annis 1554, 1557, 1569, 1580, 1593, 1598, 1604, 1607, 1613, 1638, 1660, 1668, 1671, 1673, 1687, 1709, 1721, and with additions in 12mo. anno 1746, and in octavo, anno 1751.

And lastly in octavo, anno 1787, with Questions and Cases concerning the Equity of the Law, corrected and improved by *William Muchall*.

Lord *Coke* (in *Pref.* to *Co. Lit.*) supposes the *Doctor and Student*, to have been first printed in 23 *Hen. VIII.* anno 1531, but (in 3 *Inst.* 122) he says that it was written after 26 *Hen. VIII.*

On the subject of this celebrated work, Mr. *Hargrave* (in his *Law Tracts* 321) has published from a Manuscript in the *Cotton Library* “ A
“ Replication of a Serjeaunte at the Laws of Eng-

“ land, to certayne pointes alleaged by a Student
 “ of the said Lawes of England, in a dialogue in
 “ Englishe, between a Doctor of Divinity and the
 “ said Student.” And a little “ Treatise concern-
 “ ing Writs of Subpœna.”

It is observable that the copy from which the
 above are printed, contains the following notice,
 “ Founde amongste the bookes of the late Sir *Ed-*
 “ *ward Saunders*, late Chiefe Justice of England
 “ and after Chief Baron of the Exchequer, and
 “ noted by his hand writinge, to be entitled on the
 “ outside, *The Dialogue between a Serjaunte at*
 “ *Law, and Christopher Seinte Jerman*, and on
 “ the Inside, *The Answer of this Treatise by Seinte*
 “ *Jerman.*”

An Abridgment of *Doctor and Student*, was
 published in 1630, and again in 1658.

Two other Tracts are attributed by *Ames* (vol. I.
 325) to *St. German*, though they bear the name
 of *Thomas Godfrey*, viz.

“ A Treatise concerning the power of the Clergy
 “ and

“ and the Lawes of the Realme,” 12mo. pr. cum priv. no date.

Also, “ A Treatise concernynge divers of the Constitucyons provyncyall and legantines,” 12mo. no date.

To *St. German*, Bishop *Tanner* has ascribed “ A Treatise concerning the division between the Spiritualltie and Temporalltie,” printed by Redman without date, and this seems to be the same work as, “ The Pacyfyer of the Division between the Spiritualltie and Temporalltie,” printed by Berthelet, which being remarkable for Impartiality and the Temperature of its language, was pointed out to Sir *Thomas More*, by his judicious readers, as an example for him to follow, in his controversial writings, and which incited him to publish, “ An Apologye made by him, anno 1533, after he had gevin over th’ office of Lord Chancellour of Englande,” which was printed by Wm. Rastell, in 12mo. 1533, Vide I. *Ames*, 477.

To the last mentioned Treatise, attributed to

St. German, may be added another, probably by the same author, under the Title of

“ Newe Addicions treating most specially of
 “ the Power of the Parlyament concernynge the
 “ Spiritualitie and the Spiritual Jurisdiction,”
 printed, anno 1531, in 12mo. by Berthelet, and in
 the same year, by R. Redman. Now reprinted in
 all the modern editions of *Doctor and Student*.

The same *St. German* was also author of “ *Sa-*
 “ *lem and Bizance*, being, A Dialogue between
 “ two Englishmen, one called *Salem*, and the other
 “ *Bizance*,” printed in octavo, anno 1533, by Ber-
 thelet.

This book was written in answer to Sir *Thomas More*’s Apologye above mentioned, the greatest part of which was levelled against the former Treatise of *St. German*, “ concerning the Division
 “ of the Spiritualltie, &c.” And in reply to this work, Sir *Thomas More* published,

“ The Debellacyon of *Salem and Bizance*,”
 which

which was printed in octavo, by Rastell, anno 1533.

Salem and Bizance was reprinted in octavo, anno 1534, with additions.

SALKELD.

The “*Reports*” of Mr., Serjeant *William Salkeld* “*contain Cases adjudged in all the Courts, and are* “*alphabetically digested under proper Heads from* “*1 Will. & Mary’ to 10 Ann.*” This Collection embraces the period when under the presidency of Lord C. J. *Holt* the authority of the Courts was restored and established upon the firm principles of integrity and constitutional knowledge. The learned Serjeant is reputed to have taken his Cases very ably. His Collection was *originally* published under the care of Lord *Hardwicke*, *secondly* by Sir *Knightly Danvers*, *thirdly* by Mr. Serjeant *George Wilson*, and *fourthly* by *William David Evans*, Esq. with large additions and references to modern Determinations.

Salkeld’s Reports have passed through *six* edi-
U 4 tions.

tions. The *three* first were printed in 1717, 1721, and 1731, in two parts, folio, the *fourth* in 1742 and 1743, in three parts; the *fifth* by Mr. Serjeant *Wilson*, in 1773, in three parts, folio; and the *sixth* by Mr. *Evans* in 1795, three volumes, royal octavo.

SANDERS.

To *Francis William Sanders*, Esq. we are indebted for “ *An Essay on the Nature and Law of Uses and Trusts*, including a Treatise on Conveyances at Common Law, and those deriving their Effect from the Statute of Uses,” which was *first* published in 1791, and *secondly* in 1799, octavo.

SAUNDERS.

The “ *Reports*” of Sir *Edmund Saunders*, “ of several Pleadings and Cases in B. R. temp. Car. II.” were *first* published in French, folio, two volumes, anno 1686; a *second* edition, translated, with the addition of several thousand references, was published in 1722; and a *third* in 1799, with
notes

notes and references by *John Williams*, Serjeant at Law; two volumes royal octavo, usually bound in three.

The Reports of Lord Chief Justice *Saunders* are considered as peculiarly valuable, on account of the correct state of the pleadings in the several Cases.

SAVILLE.

The “*Reports*” of Sir *John Saville* “*of divers Cases in the Courts of Common Pleas and Exchequer, from 22 to 36 Eliz.*” were published in French, *first* in 1675, and *secondly* in 1688.

SAYER.

The “*Reports*” of Mr. Serjeant *Sayer* “*in the King’s Bench from Michaelmas Term 25th to 29 and 30 Geo. II.*” were published in folio, anno 1775.

SCHOALES and LEFROY.

In the year 1806 *John Schoales*, Esq. and *Thomas Lefroy*, Esq. jointly published, in Dublin,
“*Reports*

“ *Reports of Cases argued and determined in the*
 “ *High Court of Chancery in Ireland*, during the
 “ Time of Lord Chancellor *Redesdale*, from the
 “ beginning of Easter Term 1802, to the end of
 “ Easter Term 1804,” octavo; and we are credibly informed, that these gentlemen intend very shortly to publish another volume comprehending the whole period of Lord *Redesdale*’s Presidency in the Irish Chair.

SELDEN.

The first printed law book which we find of the learned *John Selden*, Esq. is his “ *History of Tithes*,
 “ i. e. The Practice of Payment of them; the positive Laws made for them; and the Opinions
 “ touching the Right of them, &c.” which was
first published in quarto, anno 1618; and *secondly*
 in 1680, quarto, with the old date, when it was answered by Dr. *Thomas Comber*, in his “ *Historical*
 “ *Vindication of the divine Right of Tithes*” (in
 quarto, anno 1681, 1683). For writing this Treatise Mr. *Selden* was summoned before the High
 Commission Court, and he wrote a *Vindication* of
 it which was never printed, but some account of
 it

it is given in *Wood's Athen. Oxon.* as also of the answer that appeared to this work, *sub tit. Selden.*

In 1635 Mr. *Selden* published his "*Mare Clausum*, or Right and Dominion of the Sea," in two books, Latin, folio; which were translated into English in 1652, by *Marchamont Needham*, Esq. and published in folio, with some additional Evidence and Discourses by special command. *Selden's Mare Clausum* was also translated by J. H. and printed in 1663. *Note*—Mr. *Needham's* translation of this work has a Dedication (of 18 pages) addressed to the Supreme Authority of the Nation the Parliament of the Commonwealth of England, which is not prefixed to the latter edition.

In 1677 Mr. *Selden's* "*Discourse touching the Office of Lord Chancellor*," with a Catalogue of the Lord Chancellors and Lord Keepers, was published in 12mo. by *William Dugdale*, Esq.

We find also, under the name of *John Selden*, Esq. a Tract (without date) "*On the Judicature in Parliament, wherein the Controversies and Precedents belonging to the Title are methodically handled*;"

“ handled;” but this is supposed to have been written by Sir S. D’Ewes.

In 1683 a collection of *Tracts*, by Mr. Selden, was published in folio, containing 1. *Jani Anglo-rum facies altera*, to wit, All that is met with in History concerning the Common and Statute Law of English Britany to the death of *Hen. II.* which was rendered into English with Nōtes by *Redman Westcot*, i. e. Dr. *Adam Littleton*, which was his ancient family name. 2. *England’s Epinomis*. 3. *The Original of Ecclesiastical Jurisdiction of Testaments*. And 4. *The Disposition or Administration of intestate Goods*.

And in 1726 we find, in print, “ *The Works of John Selden, Esq.* containing several Law Tracts “ and other learned Works,” which were published in six volumes folio, by *David Wilkins*.

The *Manuscripts* of Mr. Selden also, which consist principally of Eastern Literature, form a part of the *Bodleian Library*, at Oxford, of which a Catalogue is extant in *Catal. MSS. Angl.* Vol. I. 157, but there is scarcely any articles in the above
Collection

Collection which in any way relate to the Law of England, from which circumstance, in concurrence with the many references that occur to antient Law MSS. in this great man's writings, it may be presumed that his collections are included among those bequeathed by his worthy friend and executor Sir *Matthew Hale* to the Honourable Society of *Lincoln's Inn*.

In addition to the labors before mentioned we find Mr. *Selden's* learned "*Dissertation annexed to* (a book called) *Fleta*," which he discovered in the Cottonian Library, and which he corrected and published in 1685. This Dissertation (which was translated by *R. Kelham*, Esq. and printed with notes in 1771, octavo) contains many curious Particulars relating to those antient authors on the Laws of England, *Bracton*, *Britton*, *Fleta*, and *Thornton*, and shews what use was made of the Imperial Law in England whilst the Romans governed here, at what time it was introduced into this nation, what use our ancestors made of it, how long it continued, and when the use of it totally ceased in the King's Courts at Westminster.

SELECT CASES IN CHANCERY.

“ *Select Cases in the High Court of Chancery,*
“ determined before the late Lords Commissioners
“ of the Great Seal and the Lord Chancellor
“ *King*, from the year 1724, to 1733,” were published in folio, anno 1740.

SELECT CASES OF EVIDENCE.

Sir *John Strange* is the reputed author of
“ *Select Cases relating to Evidence*, by a late
“ Barrister at Law,” and many of the Cases in that book are in *Strange’s Reports*; there was, however, a stop put to the sale of the book on its publication.

SESSIONS CASES.

In 1750 and 1754, “ *The Sessions Cases adjudged*
“ *in the Court of King’s Bench, chiefly touching*
“ *Settlements*, from the latter end of *Q. Anne’s*
“ reign,” to the then present time, were *first* published in two volumes octavo, and *secondly* in 1760, two volumes octavo.

SHOWER.

SHOWER.

Two editions of “*Cases in Parliament resolved and adjudged upon Petitions and Writs of Error*,” by Sir *Bartholomew Shower*, have been published, one in 1698, and another in 1740, with many references and a Table of principal matters.

These Cases are learnedly reported, and the arguments of the Counsel, as well as of the Judges are recorded in a very able manner.

This mode of reporting however, though valuable in itself, and particularly desirable to the profession, was thought an Infringement upon the privileges of the House of Lords; and the publisher was called to the Bar, for the publication of it.

Sir *Bartholomew Shower* also published his “*Reports of Cases in B. R. from 30 Car. II. to 6 William III.*” two volumes folio, *annis* 1708 and 1720, but the second volume is first in point of time.

A second

A second edition was published in 1794, in two volumes royal octavo, by *Thomas Leach*, Esq. with additional notes and references.

Vide etiam ante, tit. Parliamentary Cases.

SIDERFIN.

The “*Reports*” of Sir *Thomas Siderfin* “*of divers special Cases in the Courts of King’s Bench, Common Pleas and Exchequer, from the year 1657, to the twenty-second year of K. Charles II.*” were *first* published in two parts, *annis* 1683, 1684 or 1689, in two volumes folio; and *secondly*, corrected with the addition of many references to the first part only, by *Robert Dobins, Edward Chilton* and *Robert Skinner*, Esqrs. in two parts, French; and in two volumes folio.

SIMEON.

“*A Treatise of the Law of Election* in all its “*branches,*” by *John Simeon*, Esq. was published in octavo, anno 1795, *second* edition.

SKINNER.

SKINNER.

The “*Reports*” of *Robert Skinner, Esq.* “*of Cases in the King’s Bench, from 23 Car. II. to 9 William III.*” were published in 1728, French.

SMITH, Sir Thomas.

Sir Thomas Smith, Knight (Doctor of Civil Law and principal Secretary to *Edw. VI.* and *Q. Eliz.*) wrote a Treatise “*De Republicâ Anglorum*, or the Manner of Government or Police of the Kingdom of England,” which was first printed by H. Middleton, for G. Seton, in quarto, anno 1583 and 1584; and again with new additions of the Cheefe Courts in England, the Offices thereof and several Functions, by the said author, never before published, printed in 1589, quarto, by J. Windet; and again in quarto, by Valentine Simmes, anno 1594. This work has been several times reprinted, but see the character of the work and other particulars of the author in *Eunom.* V. I. lxx.

The publication of this Treatise was briefly pre-

ceded by two others on the same subject, which being among the first printed accounts of our Constitution and Government, may be considered as of great curiosity. For an account of these, See II. *Ames*, 1070, 1072.

SMITH, John Prince.

The "*Reports*" of *John Prince Smith, Esq.* were introduced as part of a monthly publication (now discontinued) called the "*Law Journal*," which being separated and bound distinctly formed three volumes, "*of Cases argued and determined in the Court of King's Bench, with some few Cases in the High Court of Chancery*," from Michaelmas Term 44 to the end of 46 *Geo. III.* and tables of the names of the cases and of the principal matters. Mr. *Smith* has followed the intelligent and useful plan of Mr. *Tomlins*, in his edition of *Brown's Parl. Cases*, namely, that of putting a full account of each Case under its name, at the beginning, instead of marginal notes. A plan which we wish to see more generally adopted.

SPELMAN.

SPELMAN, Sir Henry.

In 1626 Sir *Henry Spelman* published the *first* edition of his “ *Glossary*, containing barbarous “ Latin, obsolete Terms, &c.” which went but half-way through the alphabet.

In 1664, a *second* edition was published with a prefatory epistle.

And a *third* in 1687, illustrated with Commentaries and much enlarged.

The authority of the latter part of this very valuable work having been called in question, in the dispute concerning the antiquity of the Commons in Parliament, and particularly by Mr. *Atwood* in his *Jus Anglorum ab antiquo*, page 244, the authenticity of it is vindicated, and some curious particulars are related concerning it, by Doctor *Brady*, in his *Animadversions on Jani Anglorum facies nova*. See also *Bishop Gibson's Life of Sir Henry Spelman*, prefixed to his English works.

In 1639 Sir *Henry Spelman* published his “*Collection of the Councils, Decrees, Laws and Constitutions of the English Church, from 1066 to 1531,*” two volumes, folio, Lat. which was reprinted in 1664.

Sir *Henry Spelman* also wrote a “*Treatise de non temerandis Ecclesiis,*” which was first printed with *Ryce’s Poor Vicar’s Plea, &c.* octavo, anno 1705, and afterwards in Bishop *Gibson’s* collection of the author’s English works.

Sir *Henry Spelman* likewise wrote “*an Apology of the Treatise de non temerandis Ecclesiis,*” against a Treatise by an unknown author, written against it, in some particulars.

Also his Epistle to *Richard Carew, Esq.* concerning Titles, and a preface, &c. to Sir *Francis Bigod’s* Treatise of Impropriations, quarto, no date.

In 1647, Sir *Henry Spelman*, wrote “*A larger Treatise of Tythes, touching their right and pay-*
“*ment,*”

“*ment*,” which, with other Tracts, were then published by *J. Stephens*, in quarto.

And in 1670, was published in quarto, “*Spelman's Tythes too hot to be touched*, containing certain Treatises, wherein are shewn that Tithes are due.”

In 1684 Sir *Henry Spelman* published in 12mo. his “*Discourse of the Law Terms*,” wherein the Laws of the Jews, Grecians, Romans, Saxons, and Normans, relating to this subject, are fully explained. This Tract is said to be published from a very incorrect and imperfect copy, and it is also printed from the same copy in *Hearne's Curious Discourses*, in which others are to be found on the same subject, by Mr. *Joseph Holland*, and Mr. *Thomas Thynn*.

In 1698 were published in one volume folio, “*Spelmanni Reliquiæ*, or the posthumous Works of Sir *Henry Spelman*, relating to the Laws and Antiquity of England, containing—1. The original Growth, Propagation and Condition of Feuds, and Tenures by Knight Service in Eng-

X 3
“ land.

“ land. 2. Of the antient Government of Eng-
 “ land. 3. Of Parliaments, and 4. Of the Original
 “ of the four Terms of the Year, (published from
 “ the original MS. in the *Bodleian Library*.) Of the
 “ Original of Testaments and Wills, and of their
 “ Probates, and to whom it antiently belonged,
 “ with several other Tracts chiefly relating to the
 “ History and Antiquities of England.”

And lastly in 1723, or 1727, were published the
 “ *English Works*” of Sir *Henry Spelman*, comprizing
 as well those printed in his life-time, as his post-
 humous works, relating to the laws and antiquities
 of England, and the life of the author, to which are
 added two treatises by Sir *Henry Spelman*, never
 before printed. 1. Of the Admiral Jurisdiction,
 and the Officers thereof. 2. Of antient Deeds and
 Charters.

SPELMAN, Sir John.

Sir *John Spelman* was a Judge in B. R. 24 *Hen.*
 VIII. whose Reports in MS. are supposed to be
 the same as those quoted by Lord *Coke*, (as *Spil-*
man's Rep.) being a collection which he had seen.

Several

Several other learned authors have also quoted the same Reports, from whom it appears that many special Cases are there taken, temp. *Hen. VIII.* and not reported elsewhere. Vide 2 *Inst.* 49. *Ca. of Lord Dacres of the North*, 26 *Hen. VIII.* ib. 493. 3 *Inst.* 17, 28, 121, 126, cited *Co. Lit.* 1460, 2276. *Case of Q. Anne Boleyn*, 2 *Inst.* 50. *Case of Q. Anne Boleyn*, quoted 1 Hales, P. C. 124. See also *Principles of Penal Law*, 123, third edition, where mention being made of *Spilman's Rep.* they were said by the learned author to be lost. They are however mentioned by *Dugdale (Orig. Jurid.* 133.) as a MS. in the possession of *Clement Spelman*, Esq. of Gray's Inn, anno 1663.

STAR CHAMBER CASES.

A Collection of these Cases has been made, for the most part, out of Mr. *Crompton's Jurisdiction of Courts*, in order to shew what causes properly belonged to the Jurisdiction of that Court which is now obsolete. This Collection was published in quarto, anno 1630, or 1641.

STATE TRIALS.

Among the various publications which have appeared upon the subject of the *Crown Law of England*, none has been attempted so comprehensive in its nature, as that which bears the general Title of “*State Trials*.”

In 1719, “a Compleat Collection of State Trials and Proceedings upon Impeachments for High Treason, and other Crimes and Misdemeanours, from the Reign of *Hen. IV.* to the end of Queen *Anne*,” was printed in four volumes folio, and a *second* edition was published in six volumes folio, anno 1730, to which were added two supplemental volumes 7, and 8, in 1735; these were reprinted in 1766. A *third* edition of the six volumes, with their additions, was also published, with two further volumes, viz. 8 and 9, in 1766, but this work having become very scarce, and selling at a high price, Mr. *Hargrave*, in 1775, suggested a plan for a new edition, called the fourth, which is since published under the title of

“*State*

“ *State Trials, &c. from the reign of Hen. IV.*
“ *to 19 Geo. III.* eleven volumes folio, anno 1776,
“ & seq.”

To the enumeration of the several editions of the *State Trials* we have added extracts from Mr. *Hargrave's* preface to the fourth edition, which contains a very perspicuous and satisfactory account of the progressive additions and alterations which has been made towards the improvement of this valuable work.

“ The *first* edition of the *State Trials* came out
“ in the year 1719, and was comprized in four
“ volumes folio. It began with the Trial of *Wil-*
“ *liam Thorpe*, for Heresy, in the eighth of *Henry*
“ the Fourth, and ended with that of Doctor
“ *Sacheverell*, in the latter end of *Queen Anne's*
“ reign. The name of the Gentleman who pre-
“ pared this edition is omitted; but in 1720 the
“ same person published an abridgment of the
“ work, with some additional Trials, in eight vo-
“ lumes octavo, under the title of “ *Trials for*
“ *High Treason and other Crimes;*” and in 1738
“ he published a critical Review of the *State Trials*
“ in

“ in one volume folio, which, though it includes a
“ kind of abridgment, is quite a different work
“ from the former; and from the title to this last
“ book it appears that Mr. *Salmon* was the first
“ Editor of the State Trials at large. The *first*
“ edition of the State Trials was succeeded in the
“ same year by a separate volume, which contained
“ the famous Case of *Ship money*, and *Harrison's*
“ Trial for falsely accusing Judge *Hutton* of High
“ Treason on account of his opinion against the
“ Crown. In the preface to the collection, Mr.
“ *Salmon* excuses the omission of the former Case
“ by observing, that it was to be found in *Rush-*
“ *worth*; but many of the speeches and arguments
“ are not in his work, and the true reason for the
“ omission appears to have been, that the pub-
“ lishers of the collection, and the proprietors of
“ the manuscripts, from which part of the separate
“ volume was printed, could not agree about the
“ terms.”

“ A *second* edition of the State Trials was pub-
“ lished in 1730; and in consequence of the great
“ accession of new matter, the work became
“ swelled into six volumes folio. The first five
“ volumes

“ volumes comprized the same period as the first
“ edition, with the exception only of the proceed-
“ ings in Parliament against Lord Chief Justice
“ *Tresilian* and others, in the reign of *Richard*
“ the second, for High Treason, which are a few
“ years earlier in date than the Trial with which
“ the first edition begins. But the differences in
“ other respects were more considerable, for several
“ Trials were transposed in order to render the ar-
“ rangement conformable to the due order of time,
“ some additions were made to the Trials in the for-
“ mer collection, many Trials not contained in that
“ (particularly the Case of *Ship money*, and *Har-*
“ *rison's* Trial before mentioned) were intersper-
“ sed, and the work was still further augmented
“ by a number of new notes and references.
“ As to the *sixth* volume, it consisted entirely of
“ new matter; being a continuation of the Trials
“ from the death of *Queen Anne* to the end of
“ the reign of *George* the First, with an appen-
“ dix of Records relative to the whole work. Some
“ few other particulars in which the *second* edition
“ was improved, will be found stated at the end of
“ the very sensible preface with which it was in-
“ troduced to the Public. The *second* edition of
“ the

“ the State Trials was, in 1735, followed with two
“ supplemental volumes; to the first of which is
“ prefixed a preface fully explaining the reasons of
“ this addition and the materials of which it is com-
“ posed. In these two volumes there are many
“ important Cases, particularly the Case of *Mo-*
“ *nopolies* between the *East India Company* and
“ Mr. *Sandys*, in the latter end of the reign of
“ *Charles* the Second, in which the Chief Question
“ was, as to the legality of the Company’s Patent
“ for exclusive Trade to the East Indies. The
“ period of the two volumes is described in their
“ title pages to be from the reign of *Edward* the
“ Sixth to the time in which they are published;
“ but, in fact, they do not contain any Trial later
“ than the tenth *George* the First, and therefore
“ should be considered, not as a continuation of
“ the collection of Trials in the second edition, but
“ merely as supplying its omissions. A *second*
“ edition of these two supplemental volumes was
“ printed in 1766, but without any alteration.”

“ In 1742, a *third* edition of the State Trials
“ was published in six volumes folio. The Trials
“ and Cases in the supplemental volumes to the
“ *second*

“ *second* edition are not comprized in this *third*
“ edition, nor are we aware of any other dif-
“ ference between the two, than a very small
“ addition of notes, a new disposition of Sir *Rich-*
“ *ard Spotiswood’s* Trial, the *Quo Warranto* Case,
“ and perhaps a few other Trials, and in the
“ pages.”

“ In 1766 appeared two other volumes of State
“ Trials, being the ninth and tenth. These in point
“ of time, principally follow the former collections,
“ and bring it down to the year 1760; though
“ amongst these Trials there are some of an ante-
“ cedent period. The first of the two volumes
“ contains a preface to which we refer the reader for
“ a fuller account of their contents.” To the *fourth*
edition Mr. *Hargrave* contributed a new preface as
also his assistance in collecting, compiling, and ar-
ranging the additional matter which forms the
eleventh volume, the task of compiling the general
Index at the end of that volume having been un-
dertaken by another hand; as was also the super-
intendence at the press of all the former volumes.
It may be proper to notice that the printing of
this edition, being executed on a smaller type than
the

the former, the ten first volumes may conveniently be bound in five.

There was also “ *An Abridgment of Trials for High Treason, and other Crimes, for three Hundred Years past,*” published in nine volumes, octavo, the first six in 1720, and the other three in 1731. These are an Abridgment of the first mentioned six volumes in folio.

STATHAM.

This Abridgment contains the Cases down to the end of *Hen. VI.* and is evidently the first attempt made to methodize our Law as contained in the decisions from the reign of *Edw. I.* in the Courts of Law, and it contains many original authorities not extant in the Year-Books of those times. It was printed in French, quarto, without title, date, or author's name. It has *R. Pinson's* mark, but it is conjectured from the type of which it is composed to have been printed by *W. Tailleur* at *Rouen*, who also printed *Littleton's Tenures* for *R. Pinson*.

STATUTE LAW.

The first collection of the Statutes, which we find in print, is that of *R. Pinson*, anno 1514, entitled *Magna Charta*, with other old Statutes intitled *Antiqua Statuta*, being prior to the reign of *Edw. III.* and it was often reprinted by him, (viz. in 1519, 1526 and 1527) but by whom the collection was made does not appear.

The same collection seems to have been printed by *Redman* in 1522 and 1539, in two parts, by *Berthelet* in 1531 and 1532, and again in 1540, in two parts, with the progressive additions of such other old Laws as came to their hands, from which a translation was afterwards made into English by *George Ferrerz*, Esq.* of Lincoln's Inn, whose translation has been adopted by all the editors of the Statutes since that time.

In 1556, two distinct editions of a more enlarged collection were published by *T. Marsh* and *R.*

* For an account of this Gentleman, See *Wood's Athen. Le-*
land's Illust. Viror. Ang. and *Hatsell's Ca. of Priv.* 53.

Tottel, between whom there seems to have been a competition for preference. *Tottel's* edition however is the most enlarged, though *Marsh's* is the best printed, and it is *Tottel's* edition which Lord *Coke* has quoted in his *Institutes* under the title of *Vetus Magna Charta*, the references to which apply to no other edition.

In the subsequent editions printed by *Tottel* (annis 1576, 1587, 1602, 1608 and 1618) many of the older Statutes, Ordinances, &c. printed in the edition of 1556 are omitted, and others of a more recent date are added. These latter publications seem to have formed the foundation of the subsequent editions of the Statutes, in which the above mentioned antient Statutes have uniformly been left out, until they were restored in the collection edited and published by *John Cay*, Esq.

The collection of the Statutes from 1 *Edw.* III. entitled *Nova Statuta*, were published more than once in the reign of *Edw.* IV. and again by *Pinson* under that title, about the year 1497, being brought down to 12 *Hen.* VII. from the first year of whose
reign

reign the Statutes began originally to be written in English.

From about this period to the present time, it appears, that the public acts have generally been published within a short time after the close of each session of Parliament. The division of private acts from public ones, first took place in 1 Ric. III. the purport of the act entitled *Titulus Regius*, &c. which first introduced that distinction being (according to Mr. *Cay*) of too foul a nature for general publication, and therefore it was never printed again in any of the editions of the Statutes, but is entered upon the Statute Roll after the public acts, and still is extant in print in *Cotton's Libr. of Rec.* 710.

Another distinction of late years has been found necessary, by which acts merely of local concern, are separated from those of a general nature, though they are not noticed as such in any of the editions of the Statutes. These are divided into *general* and *particular*, many instances of which occur in the books of Reports, Vide *Hob.* 227. *Hale's Com.*

Law, 13. This distinction first took place 26
Geo. II.

Several general collections of the Statutes, including the *Antiqua and Nova Statuta*, made in the reign of *Hen.* VIII. and *Q. Eliz.* were printed by *Berthelet*, *Wykes*, and others, under Royal Authority; but the first regular edition of the Statutes is that usually called *Rastell's* (though it does not appear by what authority) which includes the Statutes to 5 *Philip & Mary*, and is further continued to 7 *Jac.* I. in which edition generally all the Statutes then known, are printed at large in English, with an alphabetical Index at the end of each volume.

The next edition printed in 1618, was compiled by *Ferdinando Pulton*, who says that he collated the Statutes from 9 *Hen.* III. to 1 *Richard* III. from the Records in the Tower, (for which he had an order of access, as appears by *Aysc. Cat. of MSS. in Brit. Mus.* Vol. I. 261). In this edition the Titles only of the expired and repealed Statutes are inserted, but several antient Statutes and Ordinances not before translated, are recited, with the addition
of

of references from one Statute to another, and to such authorities as illustrate any particular Statutes. These references, with others to the like purpose, have been adoptèd by all subsequent editors. Mr. *Pulton's* edition was several times reprinted, and as a Supplement, a collection of the Statutes was published from 16 *Car. I.* to 19 *Car. II.* another collection of the same period having been published by Mr. *Manby*.

A collection of the Statutes from the same year, and of the more general Parliamentary Ordinances, during the Common-Wealth, was also compiled by *Henry Scobel*, Cler. Parl. but the latter part of his collection, consisting of the Ordinances, is not printed in any subsequent edition of the Statutes.

In 1676, *Joseph Keble*, Esq. published a collection of the Statutes of 16 *Car. I.* and from 12 to 27 *Car. II.* as a Supplement to *Pulton*, and having bestowed great pains in the revisal of the Statute Law, he published a complete edition to that period, in which he united most of the advantages and improvements of the former editions.

Mr. *Keble* also examined with the originals, the Statutes subsequent to 1 *Richard* III. and he first adopted the distinction of paragraphs or sections by numbers, and added a more copious Index than had ever appeared before. This edition was several times printed, and lastly, with these advantages, and the necessary additions, was reprinted at the beginning of the present Century, to which was added occasionally in four volumes, all the Statutes to the 7 *Geo.* II. inclusive, when Mr. *Serjeant Hawkins* produced a still more correct and complete collection of the Statute Law, having with the assistance of Mr. *Brooke*, collated the original Records to 2 *Geo.* II. for which purpose K. *Geo.* I. gave him free access to all the public Offices. In this edition the more ancient Statutes are given in their original language from the Records; and where they were not to be found, from Lord *Coke*, and the best authorities extant, with a translation chiefly adopted from that made in the time of *Hen.* VIII. and the addition from authentic Records of several old Statutes not before printed. This edition was brought down to the year 1758, in nine volumes.

In 1758, *John Cay, Esq.* surpassing all his Predecessors, in care and accuracy, published the most correct, elegant and complete body of our Statute Law then extant; his edition is considered as the best authority by men of the most extensive learning, he having restored some of the ancient Laws and Ordinances, which had been formerly published but omitted by latter editors. This collection was continued down to the 13 *Geo. III.* by *Owen Ruffhead, Esq.* making in the whole nine volumes, folio.

The great increase of the Statutes, during the latter reigns, made it a desirable object to reduce the whole of the Statute Law into as narrow a compass, as a consistent attention to the importance of the subject would admit. This consideration induced the late *Danby Pickering, Esq.* to undertake the task of compressing them; he accordingly published an edition from the Cambridge press, from *Magna Charta*, down to 1 *Geo. III.* in twenty four volumes octavo, including an Index; and he first laid aside the old Black English, and introduced the Roman Letter. In this edition a few additional acts were restored to their proper rank,

with some marginal notes of corrections and references, and it was afterwards regularly continued to the close of the last session in 1787, forming a part of the thirty sixth volume; and since further brought down to the 44 *Geo. III.* making forty five volumes octavo, the thirty eighth volume forming an Index, from 1 to 38 *Geo. III.*

The same design of reducing the Statute books, was undertaken by *Owen Ruffhead*, Esq. who in 1771, published his edition of the Statutes, from *Magna Charta*, to 4 *Geo. III.* (as a continuation also of the editions by *Hawkins* and *Cay*,) accompanied with an Index to that time, and a Preface containing some observations on the state of our printed Statute Law. In this edition all the before mentioned Statutes are inserted, together with an Appendix of some ancient and curious Statutes, never printed before, and such notes and references, as the Editor judged necessary, for the illustration of each Statute. This edition has been regularly continued to the period of the *Union of Great Britain with Ireland* (41 *Geo. III.*) making in the whole eighteen volumes.

Mr.

Mr. Serjeant *Runnington*, still further desirous to reduce the vast body of the Statute Law, has published an edition of the Statutes from *Magna Charta to the present time*, in which he expunged all such acts as from a variety of circumstances, have become expired or obsolete or been repealed. The *Serjeant* however has not confined himself to those objects, but has added occasional notes and further references to the decisions since the time of Mr. *Ruffhead*, whose Preface and Appendix he has reprinted, together with an Index to the whole. This edition at the time of the Union with Ireland was printed in fourteen volumes quarto, and has been since regularly continued.

In concluding this subject, we must not omit to mention that the Hon. *Daines Barrington* has contributed very much by his “*Observations on the more antient Statutes*,” to the elucidation of the remote and obscure parts of our legislative Code, and in which the origin and policy of many parts of that Law, which necessarily appear almost unintelligible to a foreign reader, are deduced from a collateral History of the actual State of the Kingdom, and of the existing State of the Laws at

the period of enacting the several Statutes that fall under the author's observations, so far as they mutually throw light on each other, and which of course afford subjects for many learned and curious investigations, wherewith this work abounds.

Mr. *Barrington's* elaborate work, published under the title of "*Observations on the more antient Statutes, from Magna Charta, to 21 Jac. I. C. 27, with an Appendix for new modelling the Statutes,*" has passed through five editions in quarto; first in 1766; secondly in 1767; thirdly in 1769; fourthly in 1775, and fifthly in 1795.

ABRIDGMENTS OF THE STATUTE LAW.

The earliest work of this kind which we have found is one printed by *Lettou* and *Machlinia*, in French, and in alphabetical order down to 31 *Hen. VI.* It is conjectured to be the earliest printed law book except *Littleton's Tenures*, with which several copies have been found bound together, and it is supposed to have been printed in 1481 at the same time as *Littleton*. Like *Littleton* it has no title, nor any colophon, and though
drawn

drawn up in alphabetical order, it has a Table of four leaves, and consists altogether of 108 leaves. A copy of this very rare book is in the Inner Temple Library, and another is mentioned as having been in the possession of *Peter Thompson, Esq.* Sir *William Blackstone* mentions, that in this book (tit. *Sacramentum Regis*, fo. m. ij.) a copy is preserved of the old Coronation Oath, which on account of the great scarcity of the book the learned Judge has transcribed in a note to page 235, B. 1. Cap. 6. of his Commentaries. See also *Herbert's* edition of *Ames*, 112, and the Preface to *Cay's* Abridgment, for a further account of this book.

“An Abridgment of the Statutes” was also printed by *Lettou* and *Machlinia* in 1481, from 1 *Ed.* III. (1327) to 20 *Ed.* IV. (1479.) Vide *West's Catal.* No. 3416.

Also by R. P. (i. e. Richard Pinson) in French, small octavo, anno 1499, and again in 1521.

The first English Abridgment of the Statutes was printed in 1519 (11 *Hen.* VIII.) by *John Rastell*, and this seems to have been a translation of
the

the book first above mentioned; it contains several ancient Statutes, Ordinances, &c. not extant in any editions of the Statutes at large. *John Rastell* was father of *William Rastell*, Justice of K. B. and brother-in-law of Sir *Thomas More*: the same Abridgment was afterwards continued to 19 *Hen. VIII.* 12mo. Vide tit. *Rastell*, ante.

“ An Abridgment of the Statutes, corrected
 “ and amended by *Wm. Owen*, Esq. of the Middle
 “ Temple,” was printed in French, by *R. Pinson*,
 anno 1528. Vide *Ames*, Vol. I. 267; and another
 was printed by *Redman* to 18 *Hen. VIII.* in French.
Redman also printed the Abridgment of several
 subsequent years, probably in continuation of the
 above Abridgment.

“ A great Abridgment of the Statutes” was also
 printed, in English, to 22 *Hen. VIII.* with *John
 Rastell*’s Proheme, but it has neither date or
 printer’s name.

Another “ Great Abridgment” was printed by
R. P. (i. e. *Richard Pinson*) and *Robert Redman*,
 in

in 1530, 1534; and again by Redman, but without date, including 30 *Hen. VIII.*

Again a "Great Abridgment" was printed to 33 *Hen. VIII.* by W. Middleton and Thomas Petit, in 1542.

"A New Greate Abrydgment of the Statutes
" until the 35th Yere of the most wortheye and
" famous Memorye *Hen. VIII.* whose Soule God
" pardon," was printed by W. Powell and T. Gaultier, and a Supplement containing the Acts from 21 to 35 *Hen. VIII.* was printed by W. Serres in 1551.

"A Collection (abridged) of the Statutes in
" Force and Use, by Mr. *Justice Rastell*," was
" printed in 1557, 1574, 1581, 1583, 1591, 1592,
1594, 1603, 1611, 1615, 1621, and 1625. Though
this work was first published by *William Rastell*,
J. in B. R. 6 *Philip and Mary*, and 1 *Eliz.* yet it
does not appear by whom the latter editions were
published. It contains, however, copies of Sta-
tutes not elsewhere extant, and in some instances
more complete transcripts of several Acts than are
commonly

commonly printed in the Statutes at large, and it seems to be a republication and enlargement of *John Rastell's* Abridgment before mentioned. — Vide 2 *Hawk. P. C.* 237.

“ An Abstract of all the Penal Statutes in Force
“ and Use, containing the Effect of those Statutes
“ which do threaten to the Offenders thereof the
“ Loss of Life, Member, Lands, Goods, &c.” by
Ferdinando Pulton, was printed in quarto by R.
Tottel in 1560; again in octavo, without date; and
in 1577, by Ch. Barker, 1579, 1581, 1586; by R.
Tottel 1593; and by Jane Yetsweirt 1596.

In 1604 and 1608 “ A Kalendar or Table was
“ published, comprehending the Effect of all the
“ Statutes that have been made and put in print
“ from Magna Charta to 4 *Jac.*” whereunto was
annexed an Abridgment of all the Statutes whereof
the whole or any part is in force and general use,
with Queries, &c. to such Acts as relate to the
Office of Justice, &c. editum per Mandatum Do-
mini Regis, by *Ferdinando Pulton*, Esq. of Lin-
coln's Inn. This was afterwards enlarged to 7 *Jac.*
in 1617.

Wingate's

Wingate's Abridgment of the Statutes was printed in octavo, anno 1655, and continued in 1663, 1680, 1681, and 1684.

“ An exact Abridgment of all the Acts and public Ordinances of Parliament from 1640 to 1657” was published, in quarto, by *William Hughes*, Esq. in 1657; and by him, in 1663, was published, “ An exact Abridgment of all the Statutes in Force and Use made in 16, 17, and 18 *Car. I.* and 12, 13, and 14 *Car. II.*” Octavo.

T. Manby, Esq. also published “ An exact Abridgment of all the Statutes, as well repealed as in force, made in the Reigns of *Car. I.* and *Car. II.*” Octavo, 1674.

“ An Abridgment of the Statutes to 1687” was published by *J. Washington*, Esq. in 1700; and in 1704 a Supplement to 2 *Ann*, by *Henry Boulton*, Esq. who afterwards continued the same to 6 *Ann*, in two volumes octavo, printed in 1708.

“ An Abridgment of the Statutes from *Magna Charta* to 9 *Geo. II.*” was printed with various dates, in nine volumes octavo; the first four volumes of which contain, under one alphabet, all
that

that had been published by *Wingate, Washington, Boulton*, and *Nelson*, but the other five volumes are wholly supplementary.

John Cay, Esq. in 1739, published "An Abridgment of the public Statutes in force and of general Use, from *Magna Charta* to 11 *Geo.* II." in two volumes folio; to which a third volume was added, by Mr. *Henry Boulton Cay*, including all the Statutes to 1 *Geo.* III. inclusive. That gentleman also, in 1762, published a second edition of the whole Abridgment from *Magna Charta* to 1 *Geo.* III. which may be continued by the Abstracts of the Acts printed, in folio, at the close of each Session.

A compendious Digest of the Statute Law was also published by *Thomas Walter Williams*, Esq. for which *see post*, nom. WILLIAMS.

STRACHEY.

An "*Index to the Records*," with directions to the several places where they are to be found, was published by Mr. *Strachey* in 1739, octavo; to which is added, a List of the Latin Surnames of Places, and a Chronological Table of the Kings
Reigns

Reigns and Parliaments. This has been found most copious and useful in enquiries after the contents of public Records extant in print. Vide *Aylloffe's Introd. to Calend. of Ant. Charters*.

The former part of this work was reprinted in 1782, at the end of the third volume of *Newnam's Complete Conveyancer*.

STRANGE.

The "*Reports*" of Sir John Strange, "*of Cases adjudged in the Courts of Chancery, King's Bench, Common Pleas, and Exchequer*, from Trinity Term 2 Geo. I. to Trinity Term 21 Geo. II." were *first* published by his son *John Strange, Esq.* in two volumes folio, anno 1755 (vide *Foster's Cr. Law*, 294, and *D. of Kingston's Tr.*); *secondly*, with additional references, in two volumes royal octavo, anno 1782; and *thirdly*, with notes and additional references to contemporary reporters and later cases, by *Michael Nolan, Esq.* of Lincoln's Inn, two volumes royal octavo, anno 1795. There is a less correct edition of *Strange's Reports*, in two volumes octavo, dated 1782, but of an inferior size and double paging.

STYLE.

STYLE.

The “*Reports*” of *William Style*, Esq. “*in the Upper Bench* from the 21 Car. I. to 1655, as well “*on the Criminal as on the Plea Side*,” were published in folio, anno 1658.

These Reports are singularly valuable from the circumstance of being the only Cases extant of the common Law Courts for several years in the time of the Usurpation, during which Sir *Henry Rolle*, and afterwards *John Glynn*, sat as Chief Justices of the Upper Bench.

SUGDEN.

In 1805 *Edward Burtenshaw Sugden*, Esq. published, in octavo, “*A Practical Treatise of the Law of Vendors and Purchasers of Estates*,” which was republished in 1807, with very considerable additions, in royal octavo.

SULLIVAN.

The Lectures of Dr. *Francis Stoughton Sullivan*, on the Feudal Law and the Constitution and Laws
of

of England, were read in the University of Dublin (where he was Professor of the Civil Law), and were afterwards printed in 1770, in quarto, with a Commentary on Magna Charta, and necessary illustrations of many of the English Statutes. A *second* edition was published in 1776, in quarto, to which the Authorities are added, and a Discourse is prefixed concerning the Laws and Government of England, by *Gilbert Stewart*, LL.D.

SWINBURNE.

Henry Swinburne, Esq. was author of “A Treatise of Testaments and Last Wills, compiled out of the Laws, Ecclesiastical, Civil, and Canon, as also out of the Common Laws, Customs, and Statutes of this Realm;” which Treatise is comprized in seven parts:—1. What a Testament and Last Will is; 2. What Persons may make a Testament; 3. What things may be disposed of by Will; 4. In what manner Testaments and Last Wills are to be made; 5. What person may be Executor, or is capable of a Legacy; 6. The Office of an Executor; and 7. By what means Wills become void.

This work has passed through seven editions:—*First* in quarto, anno 1590; *secondly* in 1611; *thirdly* in 1635; *fourthly* in 1677; *fifthly*, in folio, 1728; *sixthly*, corrected and much enlarged, 1743; and *seventhly* in 1803, with the valuable Annotations illustrative of the subject to the present time, by the late *John Joseph Powell*, Esq. and prepared for the press by *James Wake*, Esq. three volumes octavo.

Mr. *Hargrave* (in Co. Lit. 176 (b) n. 5) observes, that there is a curious Dissertation on the Customs of *York*, in respect to filial portions, which forms a valuable part of the work, but which is not contained in the first edition, having been afterwards added by *Swinburne*; he at the same time observes, that it is otherwise as to many additions in the latter editions of his book, these being full of *enlargements* coming from other hands but printed without discriminating them from *Swinburne's* own work. Mr. *Powell's* seventh edition, however, is an exception to this remark, for his Annotations are printed distinct from *Swinburne's* text.

TENURES.

See *Littleton*, whose Tenures have laid the foundation, and raised the principal pillar upon which the grand superstructure of the law of real property is supported. See also tit. *Coke upon Littleton*, *Cruise*, *Dalrymple*, *De Lolme*, *Duke*, *Fearne*, *Gilbert*, *Higmore*, *Powell*, *Preston*, *Sanders*, *Sullivan*, *Touchstone*, *Watkyns*, *Wilson*, &c. &c.

TERM REPORTS.

Vide *Durnford and East*, and *East* in B. R. and *H. Blackstone*, and *Bosanquet and Puller* in C. B.

THORNTON.

Gilbert de Thornton, C. J. in B. R. 18 *Edw. I.* composed an Abridgment of *Bracton*, of which Mr. *Selden* met with a MS. in Lord *Burleigh's* Library, being the only copy he could ever hear of, and is not in print. It began with this description:—Incipit summa de legibus et consuetudinibus Angliæ a Magistro Henrico de Bryctona composita, tempore Henrici fil. Reg. Joan. quam

quidem summam dominus Gilbertus de Thornton, tunc Capitalis Justic. Domini Regis in Angl. secundum Statuta et leges, tunc usitatas ad utilitatem postremorum, diligenti studio postmodum abbreviavit, sub compendio An. Reg. Edw. fil. Reg. Henr. vicessimo. Et ipse idem Dom. Gilbertus tempore illo scientia, bonitate et mansuetudine, floriatur eleganter.

This differs in some respects from *Bracton's* method, but several of the Chapters of which it consisted are wanting in the MS. abovementioned, nor does it appear that any other copy has yet been discovered. A further account of this work is given in *Selden's Diss. to Fleta*, and *Nicholson's Eng. Hist. Lib.* 227, ed. 1714.

TOMLINS.

In 1785 *Thomas Edlyne Tomlins*, Esq. first published “ *A familiar, plain, and easy Explanation of the Law of Executors and Administrators*, also of the Rules by which Estates, Freehold and Copyhold, and all personal Estates in general descend,

or

“ or are to be distributed where no Will is made;”
and *secondly* in 1786, in octavo.

In 1796 Mr. *Tomlins* published, in octavo, his
“ *Cases*, explanatory of the Rules of *Evidence be-*
“ *fore the Committees of the House of Commons*,
“ compiled from the Reports of the Trials of Con-
“ troverted Elections before such Committees.”

“ *A Digested Index to the first Seven Volumes of*
“ *Durnford and East's Reports in B. R.*” was
published by Mr. *Tomlins* in 1799, “ from Mi-
“ chaelmas Term 1785, to Trinity Term 1798, in-
“ clusive, with Tables of References to the Names
“ of Cases, Statutes cited, &c.” octavo.

In 1801 Mr. *Tomlins* published a *second* edition
of his “ *Digested Index*,” including the eighth vo-
lume of Durnford and East down to 1800, to which
is added an Index to the Cases in C. P. from
Easter 1788 to Trinity 1799, octavo.

And in 1807 he published a *third* edition; in-
cluding all the reported Cases in B. R. and C. P.
to the end of Trinity Term 1805; in which edition

we have to lament, that the periods of adjudication are wholly omitted.

At the same time a Supplement to the second edition of Mr. *Tomlins's Digested Index* to the Term Reports appeared in print, also containing the Decisions down to the end of Trin. T. 1805, in which the periods of adjudication are likewise omitted.— It is observable, that this Supplement does not bear the name of Mr. *Tomlins*, and from the inaccurate manner in which it is published, the reader will readily suppose that it was not conducted by him through the press.

TOTHILL.

William Tothill, Esq. was author of the “*Transactions of the High Court of Chancery, both by Practice and Precedent, with the Fees thereunto belonging, and all special Orders in extraordinary Cases which are to be found in the Register's Office, as they are quoted by Terms, Years, and Books.*”

These Reports were printed in 12mo. in the
years

years 1649 and 1671, both being the same, though they appear to vary, from the Cases being placed at the end of the former, and at the beginning of the latter.

TOUCHSTONE.

The *Touchstone of Common Assurances, or a Plain and Familiar Treatise opening the Learning of the Common Assurances or Conveyances of this Kingdom,* was first published in 1641, secondly in 1648, and thirdly in 1651, folio. In 1669 Mr. Sheppard published his *Law of Common Assurances touching Deeds in general*, which is called the second part of the Touchstone, and is said to contain the first part. In 1780 another edition of the Touchstone was printed in folio, called the *fifth*, revised and corrected, with large notes and additional references, by *Edward Hilliard, Esq.* together with a copious Index by Mr. *Piggott*, author of the celebrated treatise on Recoveries. And lastly, a *sixth* edition was published in 1791, royal octavo, with notes and references, by *Edward Hilliard, Esq.*

In the first publication of this work Mr. *Shepard* is accused of having assumed the laurels that belonged to another, for this excellent Treatise is reputed to have been compiled by Judge *Dodderidge*; yet notwithstanding this conjecture it is to be observed, that great part of the *Touchstone* is founded upon the authority of *Co. Lit.* which was first published in 1628 (4 *Car. I.*), the year Judge *Dodderidge* died, and that in all the other works ascribed to him there does not occur a single reference to that work. It is further observable, that in the *Touchstone*, p. 67, 166, 226, and 239, references occur to Cases in 5 and 11 *Car. I.* and also, in the edition of 1648, to Cases in 23 *Car. I.*

TROWARD.

“ *A Collection of the Statutes now in force, relating to Elections down to the present Time,*”
by *Richard Troward, Esq.* “ as also an Appendix
“ containing the Orders of the House of Commons
“ concerning Elections, the Acts regulating the
“ Election of Peers and Members for Scotland
“ from the Time of the Union, and an Extract of
“ all the Controyerted Elections determined by
“ Select

“ Select Committees, with references to the Journals of the House for the Proceedings thereon, and to the printed Reports where the Cases have been reported, with an Appendix,” was first published in octavo, anno 1790, and *secondly* in 1792.

VAUGHAN.

The “ Reports” of Sir *John Vaughan* consist “ of select and important Cases,” very fully and ably taken: the *first* edition was published anno 1677, and the *second* in 1706, by his son *Edward Vaughan*, Esq. with references, to which is added a Tract concerning process out of the Courts at Westminster into Wales.

Sir *John Vaughan* (p. 97) has corrected a mistake in the Year Books, 15 *Ed. IV.* 25 (a), and another in *Co. Lit. S.* 719 (p. 368, 369).

The title of Sir *John Vaughan*’s Reports is this :
 “ *Reports and Arguments in the Common Pleas,*
 “ *being all of them special Cases, and many wherein*
 “ *he pronounced the Resolution of the whole Court*
 “ *of Common Pleas at the Time he was Chief Jus-*
 “ *tice there.*”

VENTRIS.

VENTRIS.

The “*Reports*” of Sir *Peyton Ventris* are in two parts:—Part I. containing “*Cases in the K. B.*” from 20 to 36 Car. II. with three learned Arguments, one in B. R. by Sir *Francis North*, and “two in the Exchequer by Sir *Matthew Hale*;” and Part II. containing “*Cases in C. P.* from 21 Car. II. to 3 Will. III. *with special Pleadings to the same*, together with many remarkable and “curious Cases in the Court of Chancery;” printed first in 1696; secondly in 1701; thirdly, with references by Serjeant *Richardson*, in 1716; and fourthly, with additional references, in 1726: folio.

VERNON.

The “*Reports*” of *Thomas Vernon, Esq.* “of *Cases argued and adjudged in the High Court of Chancery* from 33 Car. II. to 5 Geo. I.” were printed by order of the Court, in two volumes folio, annis 1726, 1728.

In *Boycot v. Cotton*, 1 Atk. 556, Lord *Hardwicke*, speaking of the Case of *Cave v. Cave*, 2 Vern.

Vern. 508, said, he was very sorry to find that the Reports of so able a man should be so imperfect, and come out in that manner.

The Case of *Draddy v. Deacon*, 2 Vern. 242, being cited in *Hudley v. Clarke* in B. R. (28 May, 1799), *Kenyon*, C. J. took occasion to observe, that it had been an hundred and an hundred times lamented that *Vernon's* Reports were published in a very inaccurate manner; there were some private reasons, said his Lordship, assigned for that, which he would not mention. Mr. *Vernon's* Notes were taken for his own use, and never intended for publication. He was, said Lord *Kenyon*, the ablest man in his profession.

There being a dispute after Mr. *Vernon's* death, whether his Manuscripts should go to his heir at law, or pass under the residuary clause in his will to his legal personal representatives,* the Court of Chancery made an order for the publication of them, under the direction of Mr. *Melmoth* and

* Vide *Atcherley v. Vernon*, 10 Mod. 529, 530, where there are some interesting arguments respecting Mr. *Vernon's* Manuscripts.

Mr. *Peere Williams*, but as many of the Cases have been found inaccurate, and to consist of loose notes only, *John Raithby*, Esq. has lately edited and republished them with great labor, and as he has taken the pains to examine all the Cases with the Registers book, they cannot fail to be an acceptable offering to the profession.

Mr. *Raithby's* elaborate edition of these Reports, with a multitude of notes, in elucidation of the text, after the manner of Mr. *Cox's* edition of *Peere Williams's* Reports, is printed in three parts, though consisting only of two volumes, octavo, and it is dated in the years 1806 and 1807. We sincerely wish this learned editor may reap the fruits of his great industry and perserverance, in undertaking a task, which from its difficulty, has hitherto deterred any man from attempting it.

VERNON and SCRIVEN.

The "*Reports*" of *G. W. Vernon*, Esq. and *John Barclay Scriven*, Esq. consist "*of Cases determined in the King's Courts in Dublin, with Select Cases in the House of Lords in Ireland,*
from

“ from 26 to 28 *Geo. III.*” and were published in 1787 and 1789, in two parts, octavo.

VEZEY.

The “*Reports*” of *Francis Vezey*, Esq. “*of Cases argued and determined in the Court of Chancery*, in the time of Lord *Hardwicke*, from 1746 to 1755,” were published in 1771 and 1773, in two volumes folio; and again in 1778, revised and amended with several additional notes and references, by the original Reporter, in two volumes octavo.

VESEY, Jun.

The “*Reports of Cases argued and determined in the High Court of Chancery*,” taken by the industrious hand of *Francis Vesey*, Esq. jun. began with the Sittings after Hilary Term 1789, and have since been continued in regular succession, with equal reputation to the author, and advantage to the profession. Eleven volumes of these valuable Reports are already printed in royal octavo; the six first having been originally printed in folio, and
since

since reprinted. They are now brought down to the sitting after Hilary Term, 1806, by the first and second parts of the twelfth volume.

VINER.

To *Charles Viner*, Esq. the profession are indebted for an Herculean labor performed and published under the title of "A general and complete Abridgment of Law and Equity," which was printed in ten years from 1741, to 1751, in twenty four volumes folio. This work is stiled by Mr. *Hargrave*, (Co. Lit. 9, a, in notis) an immense body of Law and Equity, and that learned Gentleman recommends it notwithstanding all its defects and inaccuracies as a necessary part of every Lawyer's Library; he further says, it is indeed a most useful compilation, and would have been infinitely more so, if the author had been less singular and more nice in his arrangement and method, and more studious to avoid repetition; faults which proceeded in a great measure from the author's error in judgment, in attempting to engraft his own very extensive judgment on that of Mr. Serjeant *Rolle*.

It

It is observable that the learned and laborious compiler of this work, not only had it printed under his own inspection, (by agreement with the Law Patentees) at his house *Aldershot* in *Hants*, but that the paper was also manufactured under his direction, as appears by a peculiar water mark, describing the number of the volume or the initials of C. V.

Mr. *Viner* began at the title *Factor*, where *D'Anvers* left off, and published to the end of the Alphabet; he then proceeded to tit. *Abatement*, but by his Index he directed the volumes to be placed in alphabetical order.

An Index of principal matters by a Gentleman of Lincoln's Inn, which was sold separate, not only facilitates the reference to *Viner*, but it likewise refers to *Bacon*, *Lilly*, and *Rolle*, &c. and to several books of the Crown Law, Conveyancing and Practice.

This stupendous work was reprinted in twenty four volumes, royal octavo, in 1792 and 1794; it was followed by six Supplemental volumes, under-
taken

taken by *James Edmund Watson, Samuel Comyn, James Sedgwick, Henry Alcock, John Wyatt, James Humphreys, Alexander Anstruther* and *Michael Nolan*, Esqrs. who laid them before the public, in print, in the years 1799, 1800, 1801, 1805, 1806, each Gentleman having taken up his own apportioned burthen of the task.

VINERIAN LECTURES.

To Sir *William Blackstone's Analysis* of the Laws of England, the public are indebted for the original plan and design, and to his elegant *Commentaries*, for the institution of those valuable Law Lectures, which were founded by Mr. *Viner*, in the University of Oxford, and which have so happily diffused a general and comprehensive knowledge of our Laws. This Establishment so nobly opened by Sir *William Blackstone*, (who as the first *Vinerian* professor, publicly read his *Commentaries* in a course of Lectures in the University) received additional lustre, from the Lectures of his Successor Dr. *Wooddeson*, whose preliminary discourse on the *Elements of Jurisprudence*, created so great a desire among the Lawyers to hear
and

and see the ensuing part of his Lectures, that the learned professor was induced to favor the public with them in print in the Year 1792. Vide tit. *Wooddeson*, post.)

WATERHOUSE.

E. Waterhouse, Esq. was author of “*Fortescue illustratus*,” or a Commentary on that nervous Treatise, *De Laudibus Legum Angliæ*, written by Sir *John Fortescue*, with two fine Protraits of *Waterhouse* and *Fortescue* by *Loggan* and *Fairthorne*, folio, anno 1663.

Mr. *Hargrave*, (Co. Lit. 17 (a) in notis) says, that Mr. *Waterhouse*, though a very prolix as well as an extravagant writer, and one who too frequently exhausts himself and disgusts his readers, by tedious, useless, and ill-timed digressions, appears to have been a man of considerable learning, and his collections relative to the antiquities of our Law may sometimes be resorted to with great advantage, and may very much facilitate the labors of more judicious and able inquirers.

WATKINS.

In the year 1796 *Charles Watkins*, Esq. published “*The Laws of Tenures*, including the Theory and “Practice of Copy-holds.” This seems to be a new edition of Lord Chief Baron *Gilbert’s* “Treatise of “Tenures,” and Mr. *Watkins* calls it the fourth edition corrected, with an historical Introduction on the feudal system, and copious notes and illustrations.

Mr. *Watkins* also in 1793, published “*a Treatise on Descents.*” In 1801 “*An Essay towards the further Elucidation of the Law of Descents*, corrected and enlarged, with an Appendix on the distribution of the personal effects of Intestates, octavo.” And in 1803 a *second* edition of his essay with additions. Octavo.

Lastly in 1797 and 1799, Mr. *Watkins* published “*A Treatise on Copy-holds*,” in two volumes, octavo.

WATSON.

WATSON.

In the title page of “*The Clergyman’s Law, or Complete Incumbent*,” the name of *Wm. Watson* is set forth as the author, but *Denison, J.* in *Rex v. Fremington Inhab.* 1 Burr. 307, said it was written by Mr. *Place*, of *York*: so it is said in *Wolferstan v. Bp. of Lincoln*, 2 Wils. 195, and so in *Blackst. Com.* B. 1. c. 11, where this book is much recommended.

This work is collected from the 39 Articles, Canons, Decrees in Chancery and Exchequer, as also from all the Statutes and Common Law Cases relating to the Church and Clergy of England, digested under proper heads, printed in folio, 1701, 1712, 1747.

WENTWORTH.

Thomas Wentworth, Esq. a Bencher of Lincoln’s Inn, is said to be the original compiler of “*The Office and Dutie of Executors*, or a Treatise of Wills and Executors, directed to Testators in the Choice of their Executors and Contrivance of

“ their Wills, with Direction for Executors in the
 “ Execution of their Office according to Law, and
 “ for Creditors in the Recovery of their Debts, &c.
 “ with divers other Particulars, very useful, &c.”
 in *two parts*, quarto. *First* printed anno 1641;
secondly in 1641, 12mo.; *thirdly* in 1641, 12mo.
 said to be corrected and enlarged, but apparently
 only a new title, with the author's name, *Thomas*
Wentworth, affixed for the first time; *fourthly* in
 1656; *fifthly* in 1663; *sixthly* in 1672; *seventhly*,
 with an Appendix by *Thomas Manley*, in 1676;
 and *eighthly* in 1689 (which is the edition referred
 to by *Comyns*); *ninthly*, with a Supplement by *H.*
Curzon, octavo, in 1703; again in 1720; again in
 1728; again in 1762, with the addition of many
 hundred references, and revised by a Gentleman of
 the Inner Temple; and *lastly* in 1774, revised,
 with further additions, &c. by the late Serjeant
Wilson, octavo.

This Treatise, which is of great repute and authority, is by several authors ascribed to Judge *Dodderidge*. Vide *Skin.* 565, *Show. P. C.* 147. xi *Vin.* 101.

It is observable that the two first editions of this work were printed without any author's name, and that the first consisted only of two distinct parts, from which it appears to be the book quoted in the margin of the *Touchstone* (also first published in 1641) by the title of "*Judge Dodderidge's Treatise,*" and "*Additions to Judge Dodderidge's Treatise.*" It is further remarkable, that though this work contains many original Cases determined in the latter end of Q. *Eliz.* and in the reign of *Jac. I.* yet there is no Case or Authority cited later than 2 *Car. I.* (*Co. Lit.* not being once mentioned) in which year, or the next, Judge *Dodderidge* died, and in that year there is a Case (fo. 49) determined before himself at *Oxford*. It may clear the difficulty in assigning this work to its proper author, to mention that he records himself (fo. 53) as having kept the Courts of the Manors of *Cowley* and *Caversham* for Lord *Wallingford*.

WILLES.

" *The Reports of Adjudged Cases in the Common Pleas* (in the time of Lord Chief Justice *Willes*) from 1737 to 1758, together with some

“ *few Cases of the same Period determined in the House of Lords, Court of Chancery and Exchequer Chamber*, with Notes and References to prior and subsequent Editions,” were published by *Charles Durnford*, Esq. anno 1799, folio.

WILLIAMS, Wm. Peere.

The accurate *Reports* of this very faithful author comprehend, for the most part, “ *Cases determined in Chancery* from 1695 to 1734, to which are added some special Cases in the King’s Bench.” They have passed through *five* editions. The *two first* were published in 1740 and 1746, in three volumes folio, in both which the paging of the second volume does not agree with the latter editions, on account of a repetition of pages 591 to 658.

The *third* edition was published in 1768, with notes and references by *William Peere Williams*, Esq. the author’s son, in three volumes folio.

The *fourth* and *fifth* were published, in three volumes royal octavo, with references to the proceedings

ings in the Court and to later Cases, by *Samuel Compton Cox*, Esq.; the latter edition bears date in 1793.

Of the Reports of this author, it is said to be the general opinion, that the Cases before the Court have at no period been transmitted with greater accuracy, perspicuity, and authenticity; the author's method being acknowledged to be best calculated to give a satisfactory knowledge of the Case before the Court, and of the Arguments in support of it, as well as an accurate statement of the reasons adduced in pronouncing the decree: these advantages added to the great number of important Cases which it contains, have concurred to render this Collection the principal source of authority in the determination of later Cases in Chancery; from which circumstance, the doctrines in the several Cases having become more accurately defined and explained by subsequent adjudications, may be considered as forming the corner stone on which the present system of our Court of Equity is established. Towards the proper and advantageous use of this work it seemed a necessary and desirable object to the modern Law-

yer to republish it, and to form a correspondent arrangement of the authorities which have since been determined on the principal Cases reported. This task was undertaken by *Samuel Compton Cox*, Esq. whose peculiar attendance has been at the Chancery Bar, and who, in the opinion of those who are most conversant in the learning of that Court, has executed that valuable purpose with equal credit to himself and advantage to the profession, and with so much improvement of the original work, as to have procured him, in a very honorable manner, the approbation of the late Supreme Judge of that Court (Lord *Thurlow*).—*Bib. leg. Ang.* Part II. 220.

In *Clinton v. Seymour*, 4 Ves. jun. 462, Sir *R. P. Arden*, M. R. said, he could not omit to observe the great obligation of the Bench and the Bar to Mr. *Cox* for his edition of *P. Williams's Reports*.

In *Woods v. Huntingford*, 3 Ves. jun. 130, Sir *R. P. Arden*, M. R. said, “ All the Cases on the
“ question before the Court which are of any
“ considerable weight have been very judiciously
“ and accurately selected by Mr. *Cox*, in his note
“ upon

“ upon the case of *Evelyn v. Evelyn*, 2 P.W. 659.
“ The Bench, the Bar, and the public in general are
“ much obliged to him for his very valuable edition
“ of those very valuable Reports. He has there,
“ in as short a note as the subject would admit,
“ put together all the Cases, and selected all the
“ points both of fact and reason. Almost all the
“ Cases that were quoted at the hearing are
“ brought together in that note, and he has there
“ stated the Rules respecting the present question
“ so accurately and shortly, and so well extracted
“ the principles from all the Cases, particularly
“ *Tweddall v. Tweddall* (2 Bro. Ch. Ca. 101.), which
“ is a very governing case, that I would rather re-
“ fer to his words than use my own.”

In 2 Bro. Ch. Ca. 117, casû *Sadler v. Hobbs*, the Reporter could not omit the opportunity given him (by a note) to congratulate the Profession upon so great an acquisition as the learning, accuracy, and diligence of Mr. *Cox*, to make his edition of *P. Williams's Reports* so eminently useful.

WILLIAMS,

WILLIAMS, Thomas Walter.

In 1787 *Thomas Walter Williams*, Esq. first published "*A Compendious Digest of the Statute Law*," comprising the Substance and Effect of all the "Public Acts of Parliament in force from *Magna Charta* to 27 *Geo. III.* to which is added a copious Index." This Digest has been continued, by Supplements, to 29 *Geo. III.* octavo.

Mr. *Williams* also published in 1791, 1794, 1796, 1797, and 1803, "A Compendious Digest or *Abridgment of all the Public Acts* from *Magna Charta* to 42 *Geo. III.* inclusive," in three volumes quarto.

In 1792 Mr. *Williams* published a new edition, in four volumes octavo, of "*Original Precedents in Conveyancing*, settled and approved by the most eminent Conveyancers, and interspersed with the Observations and Opinions of Counsel upon intricate Cases; the whole selected from the Drafts of actual Practice, and now first published under the Direction and Inspection of the Editor."

In

In 1793, 1798, Mr. *Williams* published “*The whole Law relative to the Duty and Office of a Justice of Peace*, comprising also the Authority of Parish Officers,” in five volumes octavo, including the Statutes of 37 *Geo.* III.

In 1798, 1803, Mr. *Williams* published “*An Abridgment of Cases*, argued and determined in the Courts of Law during the Reign of his present Majesty, including *Wilson, Burrow, Blackstone, Cowper, Douglas, Caldecott, and Durnford and East’s Reports*, down to 1803,” with Tables of the Names of Cases and principal Matters, in five volumes octavo.

And in 1804 Mr. *Williams* published “*The Practice of the Commissioners and Collectors under the Assessed Tax Act*,” octavo.

WILMOT.

The “*Notes of Opinions and Judgments delivered*,” by Sir *John Eardley Wilmot*, “in different Courts,” were published in quarto, anno 1802.

WILSON.

WILSON.

The “*Reports*” of *George Wilson*, Esq. (Serjeant at Law) “*of Cases in B. R. and C. B. from* “*Hilary Term 16 Geo. II. to Easter Term 14 Geo. III.*” are esteemed to be well taken, and the author has, in many of the more important Cases, given a statement of the Pleadings, which add very much to the value and authenticity of his work.

These Reports have passed three editions:—the *two first* were printed in three parts, folio, in 1770, and 1775, and bound in two volumes; and the *third* was printed in 1779, in three volumes royal octavo, with additional Notes of the points determined, References to modern Cases, and improved Tables of the principal matters, and of the names of the Cases.

From the pen of the learned Serjeant was also published, in octavo, *first* in 1753, *secondly* in 1773, *thirdly* in 1780, and *fourthly* in 1794, “*A Prac-* “*tical Treatise of Fines and Recoveries*, containing the Principles, Cases, and Statutes relating to, “and a great variety of Precedents of Fines and Recoveries,

“ Recoveries, together with Instructions for drawing, entering, and passing them.”

WINCH.

The “ *Reports*” of Sir *Humphrey Winch*, “ *of Choice Cases in the Common Pleas touching Declarations, Pleadings, Demurrers, Judgments and Resolutions in point of Law*, from 19 to 21 *Jac.*” were printed in folio, anno 1657. Vide Pref. to Bendloe and Dallison.

WINCHEDON.

Richard de Winchedon is said to have lived in the reign of *Ed. II.* and is mentioned as a compiler of the “ *Law Annals, or Collection of Adjudged Cases of that Reign*,” by *Selden* (in *Dissert. ad Flet. C. 8. S. 3.*), of which he quotes several Cases from an antient MS. in the Library of the Inner Temple, presented to that Society by Sir *Robert Barker*, Knt. Chancellor of the Exchequer temp. *Philip & Mary*. It is also observable, that the MS. above quoted by *Selden*, seems to be a different Collection of the Cases of this Reign from
that

that afterwards published by Mr. Serjeant *Maynard*, on the recommendation (it is said) of Sir *Matthew Hale*; several of the Cases there mentioned by Mr. *Selden* not appearing to be extant in the Collection of *Maynard*, and others, though nearly in the same words, yet not so fully reported as in the first mentioned Collection. It is further remarkable, that in 33 *Eliz.* (*Cro. Eliz.* 218,) a Case was determined on the authority of a book-Case 12 *Ed. II.* which was admitted by the Court, from a written book (as it is said by the Reporter), and on occasion of that determination being cited as an authority in *Sacheverell v. Frogate* (1 Vent. 162), Lord *Hale* directed search to be made in the MS. Annals of that reign in *Lincoln's Inn* Library, from whence *Maynard's* Collection was printed, but the Case not being found, the Court considered the Case erroneous in point of time, and that the Case meant to be relied on, was one in 12 *Ed. III.* which however was very different in a principal point. And it further appears, that the same reference occurs in the Report of S. C. 33 *Eliz.* in *Owen* 9. (Vide Nels. *Lutw.* 448.) From the above circumstances, it is probable that the book produced in that Case was a more complete Collection of
of

of the Annals of that reign than that in print.—Further it is observable, that the Collection of *Richard de Winchedon* does not appear to have been searched in *Sacheverell v. Frogate*, from whence it seems probable, that the written book produced was that of *Richard de Winchedon*; and it is much to be lamented, that this antient Collection is not now to be found in the Library, where it was extant in Mr. *Selden's* time, nor is it known what is become of it. Vide *Worral's Acc. of Law Writ.* 79, and I *Ames*, 302.

WISEMAN.

Wiseman's MS. Reports of the Case of Lady *Jones* and Lord *Say and Sele* is quoted in 12 Vin. 127.

WOOD, Thomas.

In 1708 *T. Wood*, Esq. published his "*Thoughts on the Study of the Laws of England*," which were printed in folio, and also in octavo, to bind up with the

"*Institute of the Laws of England*, or the Laws
" of

“ of England in their natural Order according to
 “ common Use,” written by the same author, in
 four books; the *first* edition of which appears to
 have been printed in 1720, in two volumes octavo,
 a *second* in 1722, a *third* in 1724, a *fourth* in 1728,
 a *fifth* in 1734, a *sixth* in 1738, a *seventh* in 1745,
 an *eighth* in 1754, a *ninth* in 1762, and a *tenth*,
 with additions, in one volume folio, anno 1772.

We further find, in the year 1730, a fourth edi-
 tion of “ *A New Institute of the Imperial or Civil*
Law, to which is added an Introduction to the
 “ Laws in general, with Notes, by *Thomas Wood*,
 “ Esq.”

WOOD, Edward.

“ *A Complete Body of Conveyancing in Theory*
 “ *and Practice*” was published by *Edward Wood*,
 Esq. in 1749, three volumes folio; *secondly* in 1762;
thirdly in 1770; *fourthly* in 1777, greatly im-
 proved in theory by the addition of references to
 the latest books of authority, and in the practical
 part by the favor of a large number of original
 MS. precedents; and *fifthly*, in 1790, 1791, and
 1793,

1793, in three volumes folio, with additions of precedents, notes, and references, by *John Joseph Powell*, Esq.

WOOD, Hutton.

“ *A Collection of Decrees* by the Court of Exchequer on *Tithe Causes*, from the Usurpation to the present Time, carefully extracted from the Books of Decrees, and Orders of the Court of Exchequer, and arranged in Chronological Order, with Tables of the Names of the Cases and the Contents,” by *Hutton Wood*, Esq. were published in four volumes royal octavo, annis 1798, 1799.

WOODDESON.

To the learned *Vinerian* Professor, Dr. *Richard Wooddeson*, we are indebted for “ *A Systematical View of the Laws of England*, as treated in a Course of Lectures read at the University of Oxford, during a Series of Years, commencing in Michaelmas Term, 1777;” printed in 1792, in three volumes royal octavo.

YEAR BOOKS.

The earliest edition of these Reports seems to have been printed at various times, by *Machlinia*, *Pyuson*, *Redman*, *Berthelet*, &c. and at one time it was in so much request, that one set sold for near 40*l*. *Vide* Prynne's Pref. to Cott. Abr. of Records.

In 1610 another edition was printed in *ten* parts, wanting *Maynard's Ed. II.* with Notes to *Brooke's* and *Fitzherbert's* Abridgments, and with Tables to each Part, except the first and last volumes.

In 1697 the last edition was printed in folio, in *eleven* parts, French, with Notes to *Brooke's* and *Fitzherbert's* Abridgments, and a Table of the principal matters to each Part.

Part I. contains *Maynard's* Reports of Cases temp. *Edw. II.* and divers Memoranda of the Exchequer temp. *Edw. I.*

Part II. Reports in the first ten Years of *Ed. III.*

Part III. Reports from 17 to 39 *Edw. III.*

Part IV. Reports from 40 to 50 *Edw. III.*

Part

Part V. *Liber Assisarum*, or Pleas of the Crown
temp. *Edw.* III.

Part VI. Reports temp. *Hen.* IV. and *Hen.* V.

Parts VII. and VIII. *Annals*, or Reports temp.
Hen. VI. two volumes.

Part IX. *Annals* of K. *Edw.* IV.

Part X. *Long Quinto*, or Reports *anno 5 Ed.* IV.

Part XI. Cases temp. *Edw.* V. *Rich.* III. *Hen.*
VII. and *Hen.* VIII.

From the above it is observable that the Cases
in the following years are wholly omitted:—

Edw. III. *An.* 11 to 16, 19 and 20, 31 to 37.

Rich. II. The whole reign.

Hen. V. *An.* 3, 4, and 6.

Hen. VI. *An.* 5, 6, 13, 15, 16, 17, 23, 24, 25,
26, and 29.

Hen. VII. *An.* 17, 18, 19.

Hen. VIII. *An.* 1 to 12; 15, 16, 17; 20 to 25,
28, &c.

Some of the years omitted are extant in the
Abridgments of *Statham*, *Fitzherbert*, and *Brooke*;

others in the *Harleian* MSS. (n) 452, 4557, 4585, and still others have been cited from MS. Cases in private hands, bearing equal marks of authenticity.

No part of our history has handed down to us the names of the several persons by whom the *Year Books* or *Annals* were compiled, but they appear to have been printed yearly, and it is supposed by Sir *Wm. Blackstone*, that they were written by the Prothonotaries or Chief Scribes of the Court at the expence of the Crown. *Plowden* says he has been informed that they were compiled by four chosen men, who were each allowed an annual stipend by the King.

At the end of Michaelmas Term 21 *Edw.* III. 50, these words follow:—" *Icy se finissent les Reports de Mons. Horewode;*" and afterwards, " *Icy s'ensuivent certains Cases pris de hors un autre Report qui n'ont été dans les Reports du Mons. Horewode, par ci devant imprimés.*" Also it appears, that 1, 2 *Edw.* IV. were collected by one *Townsend*, as may be seen at the end of one of those *Annals.* *Ames*, 302. (Herb. edit.)

Plowden,

Plowden, in his *Argument concerning Nuisance*, cites a Case in 7 *Edw. III.* and recites two Latin verses from *Horewode's Report*, and another Case in 19 *Edw. III.* none of which are extant in the printed Year Books.

Some of the detached Cases, not extant either in the Year Books or in the old Abridgments, are to be found in the writings of *Bracton*, *Littelton*, *Coke*, *Selden*, and other ancient writers. Some in the time of K. *John* are mentioned by Lord *Hale*, in his History of the Common Law (c. 7), and others temp. *Edw. I.* were said to have been in the Library of Mr. *Selden*; and Lord *Coke* expressly mentioned others which he had seen temp. *Hen. III. Edw. I. &c.* and which he received as of equal authority with those of the subsequent reigns which have been printed in the Year Books.

Mr. *Brooke*, (in his *Bibl. Leg. Ang.* pt. II. 198) suggests, that probably some of the above mentioned collections form a part of the MSS. bequeathed by Sir *Matthew Hale* to *Lincoln's Inn Library*, and he says that several other collections have been pointed out, under the respective reigns

in the Chronological Account of the English Laws, given in the *Bibliotheca Legum Angliæ*, part II. besides which there are some of a still earlier date, viz. *Placita et al. de temp. Ric. I. &c. Cut. MSS. Ang.* Vol. II. (n) 1928. *Harl. MSS.* (n) 4286.

Though the Reports in the reign of *Richard II.* are not printed in any continued series, yet there are extant among the MSS. in *Lincoln's Inn Library*, several collections of *Placita* during that reign, (n) 40, 77, 189. Many Cases of the same reign are abridged by *Fitzherbert*, from whose abridgment they are collected in a separate volume by *Bellewe*, as a substitute for the Year-book of that reign. *Biblioth. Leg. Ang.* pt. II. 202 (n.) Lord *Hale* said, he had seen a MS. of the entire Years, and Terms of that reign, from whence he has remarked that there was a visible decline during that feeble Government, in the dignity of the Law, and in the learning and depth of the Pleaders. *Hale's Hist. of Com. Law*, C. 8.

It is much to be lamented that the same authority, under which the Year-books are said to have been originally composed, did not interfere in ordering

dering a more complete and regular publication of them, especially at the period of their last republication, when books of that nature were unanimously recommended to the press, by the twelve Judges, as an essential part of the Law Student's Library. On the contrary, they appear for the most part to have been given to the public in detached terms and years, as they happen to be preserved and to come into the hands of those who were interested or disposed to make them public after the use of printing in England, and to this perhaps it may be attributed why so many entire years are wholly omitted. *Bibl. Leg. Angl.* 201.

The Reports temp. *Edw.* I. though not extant in any regular series in print, are said to be very good, though briefly stated. Of the Cases temp. *Edw.* II. it is observed, that there are many entire copies of them excellently reported, exhibiting a fair specimen of the learning of the Judges and Pleaders of that time. *Ibid.*

Of the reign of *Edw.* III. (when according to Lord *Coke*, the office of stipendiary Reporter was established) the Reports consist of four volumes,

the two first contain, with the exception of a few years, the Cases for the first thirty nine years of that reign; the third consists of the Cases from the fortieth to the fiftieth year, and is entitled *Quadragesima*; and the fourth is the *Liber Assisarum*, comprehending the Cases determined at the Assizes during the whole of that reign. In point of reputation, the two latter volumes have been preferred from the circumstance, that the former contains decisions on points of learning, which had become more obscure than those in the subsequent collections, and consequently not so frequently brought forward as authorities by *Fitzherbert* and *Brooke*, whose abridgments in after times became the clue and in great measure substitutes for the Year Books. It has been also observed that the *Quadragesima* and *Book of Assizes*, are certainly entitled to the preference, for besides that questions are there discussed with more precision and clearness, they contain more of those points of Law, which have survived to the present day. In regard to precision and clearness, all the Reports of this reign excel those of the preceding. *Reeves's Hist. Eng. Law*, III. 148.

Upon

Upon the Reports of the succeeding reign of *Richard II.* we have already made our remarks, and we have also noticed the decline in the dignity of the Law, and in the learning of the Lawyers at that time.

The Reports temp. *Hen. IV.* are more likely to engage the attention of a modern reader, than those temp. *Edward III.* in regard to their greater affinity to our present existing Laws. Their form is less irksome, and the subject more intelligible, they have less the stile of an Entry, and state a Case more, in the manner of a narrative. Notwithstanding which, Lord *Hale* considered that the Reports of this reign, as well as of the reign of *Hen. V.* did not arrive, either in point of the learning contained in them, or in the judicious knowledge of the Judges and Pleaders, or in any other respect, to the perfection of those in the last twelve years of *Edward III.* *Reeves's Hist. Eng. Law*, III. 254.

Of the Reports of *Hen. VI. Edw. IV. Edw. V.* and *Richard III.* it is said that both the matter and stile of them are more suited to the reading of a modern Lawyer than any of the former, and are
consequently

consequently more worthy of notice than those of the preceding reigns. They contain a fuller account of what passed in Court, Questions of Law are more thoroughly debated, and the opinions of the Judges given more at length.

The second part of *Hen. IV.* and the whole *Long Quinto*, are full of excellent learning. The first part of *Hen. VI.* is said by Lord *Hale*, to be more barren, spending itself in much learning of little moment, and long since out of use. *Reeves's Hist. Eng. Law*, III. 112.

Of the Year Book of *Hen. VII.* Mr. *Reeves* observes that it goes more into points of Law, and such matters as have survived the times when they were debated, and is more deserving attention than the preceding: it is also observed that at this time the Counsel and Judges are sometimes found citing Cases, and *Bracton* is once or twice referred to, which was not common, their determinations being mostly the result of argument and discussion, and these were made precedents for future ages.

The Year Book of the reign of *Hen. VIII.* contains

tains the Cases only of a few years, between which and the Cases of the former reign, there is no small difference, as it is remarked by Lord *Coke*, who supposes the appointment of Reporters to have ceased about the end of *Hen. VII.*

It is further conjectured, that perhaps since a taste for all kinds of learning had begun to prevail, the opinion of this establishment of Reporters was altered, and it was thought more advisable to trust to the general inclination discovered in private persons to take notes, who probably from a competition would do more towards rendering this department perfect and useful, than any temptation of a fixed salary. Whatever may be the reason, such appointments were no longer continued, and the undertaking dropped, and upon their discontinuance, several voluntary Reporters appeared in this reign, among the first of whom we find *Keilway*, *Moore*, *Benloe*, and *Dyer*, to whom may be added, *Brooke*, *Anderson*, and *Dallison*, all of whom were, in subsequent reigns, advanced to honorary degrees in the profession, and whose labors it may be presumed form an adequate substitute for the former
established

established office of Reporter. *Reeves's Hist. Eng. Law*, IV. 414.

Nelson calls the Year Books a rhapsody of antiquated Law.

VELVERTON.

The “*Reports*” of *Henry Velverton*, Esq. “*of Special Cases, in the King's Bench*, from 44 *Eliz.* to 10 *Jac. I.* were originally published in French, by Sir *W. Wylde*, annis 1661 and 1674, and were afterwards carefully translated into English, and published anno 1735, folio.

THE END.

P L A N

FOR THE

CLASSIFICATION

AND

A R R A N G E M E N T

OF A

PUBLIC OR PRIVATE

LIBRARY.

1897.

PREFATORY REMARKS.

THE intelligent reader will quickly discover, that the plan of arrangement laid down in the following sheets is not of novel invention, but founded upon the *Système Bibliographique* of *M. Guillaume François De Bure le jeune, Libraire de Paris*, whose *Bibliographie Instructive de la Connoissance des Livres*, is certainly one of the best, if not the very best treatise of the kind.

The Author has found the plan of *M. De Bure* the most commodious to act upon in the classification of a Library, for it may be enlarged or compressed according to the size of the Collection, and the several Sections of each Class may with ease be kept distinct, or blended together, agreeable to the taste or convenience of the collector.

M. De Bure has very wisely expunged the title of *Miscellanies* from his System, and introduced the Section of *Polygraphy*, with well-judged subdivisions, by which means the careless or indolent catalogue-maker is prevented from throwing, indiscriminately, into the confused mass of *Miscellanies*, every thing that he cannot read, or does not understand; a fault too common in most Catalogues of Books.

The

The Class of *Belles Lettres* is objected to by many, inas-much as it may be said to include every Branch of Polite Literature, but the scientific manner in which *M. De Bure* has analysed this Class by his divisions and sub-divisions, ap-pears to have removed that objection; and upon the whole, the *Système* of that industrious and learned Bibliographer seems best calculated to answer every general purpose of arrangement.

R. W. B.

PLAN

P L A N

FOR THE CLASSIFICATION AND ARRANGEMENT OF A PUBLIC LIBRARY.

CLASS 1. *THEOLOGY.*

Section I. HOLY WRIT; the several Texts and Versions thereof, the several Interpreters, Critics, and Commentators thereon, and herein of Polyglot Bibles, and sacred Philology in general.

II. COUNCILS and SYNODS.

III. LITURGIES, Rituals and Ceremonies of the Church.

IV. HOLY FATHERS, their Writings chronologically arranged.

V. DIVINES, their Writings, whether scholastic or dogmatic, comprehending

1. *Moral Theology.*
2. *Catechistical or Instructive Theology.*
3. *Sermons and Discourses.*
4. *Mystical or Contemplative Theology.*
5. *Polemical Theology, and*
6. *Heterodox Theology.*

CLASS 2. JURISPRUDENCE.

Section I. CANON LAW, comprehending the Universal Canon Law, the Laws of the various Churches, and the Ecclesiastical Law of the Regulars, and the several Religious Houses according to their different Orders.

II. CIVIL LAW, comprehending the Law of Nature, of Nations, and the Public Law of Mankind; as also the particular Laws of the Jews, the Greeks, the Romans, and other Nations, both ancient and modern.

III. LAW OF ENGLAND, comprehending

1. *Abridgments, Indexes, and Tables.*
2. *Arguments, Charges, and Readings.*
3. *Charters, Corporations, Customs, Privileges, and Records.*
4. *Common and Crown Law.*
5. *Justiciary and Parochial Law.*
6. *Parliamentary and Constitutional Law.*
7. *Tenures, Fines, Recoveries, Court-keeping, and Conveyancing.*
8. *Jurisdiction and Practice of the English Courts.*
9. *Dictionaries, Grounds, Maxims, and Principles.*
10. *Entries, Declarations, Pleadings, and Writs.*
11. *Trade and Navigation.*
12. *Reported Law.*
13. *Statute Law.*
14. *Miscellaneous Law Subjects.*

IV. LAW

(Class 2. continued.)

Sect. IV. LAW OF IRELAND.

V. LAW OF SCOTLAND.

VI. LAWS OF THE BRITISH COLONIES.

VII. LAW OF FRANCE.

VIII. LAWS OF OTHER EUROPEAN NATIONS.

IX. EXISTING LAWS OF DISTANT COUNTRIES.

CLASS 3. ARTS & SCIENCES.

Section I.—PHILOSOPHY.

1. *Introductory Study.*
2. *Ancient.*
3. *Modern.*
4. *Scholastic.*
5. *Logical.*
6. *Ethic or Moral.*
7. *Economical.*
8. *Political, and*
9. *Metaphysical.*

II.—PHYSIC.

1. *General and Introductory Course.*
2. *Particular Treatises on the Course of Natural Bodies, on the Creation of the Universe, and the Elements, on the Sensitive Soul of Man, and on the Faculties of other Animals, and herem of Physical Dissertations generally.*

CLASS 3. Sect. III.—NATURAL HISTORY.

1. *Introductory Study.*
2. *General and Universal Natural History*, whether ancient or modern.
3. *History of the Elements*, of Metals, Minerals, Stones and Gems; of Waters, Rivers, Fountains, Baths, and Mineral Springs.
4. *Agriculture and Botany.*
5. *Of Quadrupeds, Birds, Fishes, Insects, Shells, and Petrifications.*
6. *Of Prodigies, Monsters, Lusus Naturæ, and Curiosities of Art and Nature.*

IV.—MEDICINE.

1. *Introduction, Practical Course, Dictionaries and general Treatises on Medicine.*
2. *The Works of ancient and modern Physicians*, with their Interpreters and Commentators.
3. *Particular Treatises on Medicine*, as on *Physiology*, or the Constitution, Faculties, and Habit of the Human Body; *Diatetics and Hygiastics*, or the Regimen and Aliments of Man considered with a view to health and longevity; *Pathology*, or the Diseases and Affections of the Human Body, their Causes, Symptoms, Progress, and Remedies.
4. *Miscellaneous Observations, Dissertations and Medical Works.*
5. *Surgery.*
6. *Anatomy.*
7. *Pharmacy.*
8. *Chymistry, and*
9. *Alchymy.*

CLASS 3. Sect. V.—MATHEMATICS.

1. *Universal Course*, Introductory and general Treatises.
2. *Arithmetic and Algebra*.
3. *Geometry*.
4. *Astronomy*.
5. *Astrology*.
6. *Gnomony*, or the Science of Dials and Solar Clocks.
7. *Hydrography*, or the Science of Navigation.
8. *Optics*, treated universally; or particularly with respect to *Dioptrics*, the *Refraction of Light*, *Perspective*, &c.
9. *Statics*, or the Science of moving Powers.
10. *Hydraulics*, or the Art of raising Water for Aqueducts, Cascades, Grottos, &c.
11. *Mechanics*, or the Science of Machinery.
12. *Mathematical Instruments*, practically used, and
13. *Music*, or the Science of Harmony.

VI.—ARTS.

1. *Dictionaries and general Treatises* on the liberal and mechanical Arts.
2. *Memory, natural and artificial*, and the practical Modes of exercising it.
3. *Writing, Figuring, and Secret Writing*.
4. *Typography*, or Printing.
5. *Design, Painting, Sculpture and Engraving*.
6. *Architecture*, general, civil, military, and naval.
7. *Military Art*.
8. *Pyrotechnic Art*, or of Fire, Furnaces, Glass Houses and Foundries in general.
9. *Gymnastic Art*, viz. Horsemanship, Wrestling, Fishing, Hunting, &c.
10. *Athletic Games*, such as leaping, dancing, &c.
11. *Trades and Arts Mechanical*.

CLASS 4. BELLES-LETTRES.

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II.—RHETORIC, or the Art of Oratory.

III.—POETRY.

1. *Introductory and Elementary Treatises.*
2. *Art of Composition.*
3. *Ancient Greek and Latin Poets.*
4. *Modern Latin Poets.*
5. *English, Irish, Scotch, and Welch Poets.*
6. *French Poets.*
7. *Italian Poets.*
8. *Spanish and Portuguese Poets.*
9. *Poetical Works of the Germans, Flemings, and other Northern People.*
10. *Asiatic Poets.*
11. *Mythology and Fables.*
12. *Novels and Romances.*
13. *Drama, or Theatrical Writings of the Greeks, the Latins, the French, Italian, English, Irish, Scotch and Welch, Spanish and Portuguese, Germans, and other Northern Nations, Asiatics and other Oriental Authors.*

IV.—PHILOLOGY.

1. *Critics, ancient and modern.*
2. *Gnomics, or Sentences, Apophthegms, Adages, Proverbs, Puns, Ben-Mots, and all such things as fall under the title Ana.*
3. *Hieroglyphics, Emblems, Devices, Symbols, &c.*

CLASS 4. *Sect. V.—POLYGRAPHY.*

1. *The Works of various Authors, both ancient and modern, on different Subjects.*
 2. *Dialogues and Discourses on various mixed Subjects.*
 3. *Collections of Curious Questions and Extracts.*
 4. *Letters on various Occasions.*
-

CLASS 5. *HISTORY.**Section I.—PROLOGOMENA.*

1. *Preparatory Introductions to the Study of History.*
2. *Particular Treatises on the Uses and Advantages of History.*
3. *Criticisms and Apologies for and against History and Historians.*

II.—GEOGRAPHY.

1. *Preparatory Introductions to the Study of Geography.*
2. *Geography properly considered as Cosmography and the Description of the Universe.*
3. *Ancient and Modern Geography, Geographical Maps and Charts.*
4. *Voyages and Travels.*

III.—CHRONOLOGY.

1. *Preparatory Introductions to the Study of Chronology.*

(Class 5, Sect. III. continued.)

2. *Technical Chronology*, comprehending Treatises on particular Epochs, Years and Months, and the Calendars of different Nations, and Dissertations either on obscure points of History or on the doubts raised with respect to the Ecclesiastical Calendar.
3. *Historical Chronology*, explained by means of Tables and Charts.
4. *Universal History* from the Creation of the World.

IV.—ECCLESIASTICAL HISTORY.

1. *Preparatory Introductions* to the Study of Ecclesiastical History.
2. General History of the *Religious Ceremonies of all Nations*.
3. History of the *Jewish and Christian Churches*, ancient and modern.
4. History of the *Churches of different Nations*.
5. *Catholic and Pontifical History*.
6. History of the *Monks*, and of the several *Religious and Military Orders*.
7. *Sacred History*, including the Lives of Saints and Martyrs.
8. History of *Heresies and Heretics*.

V.—PROPHANE HISTORY of *Ancient Monarchies*, viz.

1. History of the *Jews*.
2. History of the *Four Ancient Monarchies* or Empires, viz. The Chaldeans, Babylonians and Assyrians; the Medes and Persians; the Grecians, including the Athenians, Lacedemonians, Macedonians, Syrians, Egyptians and Carthaginians; and the Romans.
3. *Byzantine History* from the time of Constantine to the Capture of Constantinople by the Turks.

CLASS

CLASS 5. Sect. VI.—MODERN HISTORY of *Europe*, viz.

1. Of *France*.
2. Of *Italy*.
3. Of *Germany*.
4. Of the *Low Countries*.
5. Of *Lorraine*.
6. Of the *Swiss*, and their Confederates.
7. Of *Spain*.
8. Of *Portugal*.
9. Of *Great Britain and Ireland*.
10. Of the *Northern Countries*, viz. *Denmark, Sweden, Muscovy, Poland, Hungary, Transylvania. &c.*

Modern History of Asia, Africa, and America.

1. *Oriental History* in general.
2. History of the *Arabs*, the *Saracens*, and the *Turks*.
3. *Asiatic History*.
4. History of *Africa*.
5. Of *America* and the *West Indies*.

VII.—HISTORICAL PARALIPOMENES.

1. *Heraldry and Genealogy*.
2. *Royal and Illustrious Houses and Families*.

VIII.—ANTIQUITIES, comprehending

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2. History of *Stones, Inscriptions, and Ancient Marbles*.
3. Of *Metals, Medals, Coins, &c.*
4. *Ancient Monuments*, comprehending fragmental Descriptions of public *Edifices, Amphitheatres, Obelisks, Pyramids, Sepulchres, Statues, &c.*
5. *Ancient*

(Class 5, Sect. VIII. continued.)

5. *Ancient Engraved Stones, Signets, Seals, Lamps, &c.*
6. *Cabinets of Antiquaries and Miscellaneous Collections.*

IX.—BIBLIOGRAPHICAL, LITERARY, AND ACADEMICAL HISTORY.

1. *The Origin and Progress of Letters and of Languages.*
2. *History of Academies, Schools, Universities, Colleges, and Societies of Men of Letters, their foundations and progress.*
3. *Bibliography, or a Description of Books in general.*

X.—BIOGRAPHY.

1. *Ancient Lives of Illustrious Persons among the Greeks and Romans.*
2. *Modern Lives of later Illustrious Persons.*
3. *Of Persons illustrious in the Arts and Sciences.*

XI.—HISTORICAL EXTRACTS.

1. *Collections extracted from Ancient and Modern History.*
2. *Historical Dictionaries.*

CLASS 6.

MANUSCRIPTS.

A PRIVATE

A

PRIVATE LIBRARY

May be classed upon the same principle of Arrangement, though less voluminous, by omitting the Subdivisions of the several Sections, thus—

CLASS I. *THEOLOGY.*

- Section* 1. Holy Writ.
2. Councils and Synods.
3. Liturgies.
4. Holy Fathers.
5. Divines.

CLASS II. *JURISPRUDENCE.*

- Section* 1. Canon Law.
2. Civil Law.
3. Law of England.
4. ——— Ireland.
5. ——— Scotland.
6. ——— the British Colonies.
7. ——— France.
8. Laws of other European Nations.
9. Existing Laws of all other Countries.

CLASS III. *ARTS & SCIENCES.*

- Section* 1. Philosophy.
2. Physick.
3. Natural History.
4. Medicine.
5. Mathematics.
6. Arts, liberal and mechanical.

CLASS

CLASS IV. BELLES-LETTRES.

- Section* 1. Grammar.
2. Rhetoric.
3. Poetry.
4. Philology.
5. Polygraphy.

CLASS V. HISTORY.

- Section* 1. Prologomena.
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3. Chronology.
4. Ecclesiastical History.
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ERRATA, CORRIGENDA.

Page 65, line 3, for *we reprinted in*, read *were printed in*
 ——— 94, ——— 7 from bottom, for *Charles*, read *Chancellor*
 ——— 258, ——— 2, for *Plb.* read *P. Wms.*
 ——— 221, ——— 3 from bottom, for *Thomas* read *Francis*

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